



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, बुधवार, 17 अक्टूबर, 2007 / 25 आश्विन, 1929

हिमाचल प्रदेश सरकार

INFORMATION TECHNOLOGY DEPARTMENT

NOTIFICATION

Shimla-2, the 15th October, 2007

No.IT-C (17)-2/2005.—In partial modification of this department notification of even number dated 3rd October, 2005 and notification of even number dated 16th March, 2006 regarding allotment/transfer of shares of H.P. State Electronics Development Corporation, the Governor, Himachal Pradesh is pleased to transfer the following shares of this Corporation as under:-

Sl.No.	Name & Designation of old Shareholder	Name & Designation of new Shareholder	No. of Shares	Value (in Rs.)
1.	Sh. S.S. Parmar, Ex-Chief Secretary, H.P.	Sh. Ravi Dhingra, Chief Secretary, H.P.	10	1,000
2.	Dr. S. Behuria, Pr. Secretary (Finance) to the Government of H.P.	Sh. Arvind Mehta, Secretary (Finance) to the Government of H.P.	10	1,000
3.	Smt. Anuradha Thakur, Director, Information Technology, H.P.	Sh. Maneesh Garg, Director Information Technology, H.P.	10	1,000
4.	Sh. Onkar Sharma, Managing Director, HPSEDC.	Sh. Maneesh Garg, Managing Director, HPSEDC.	10	1,000

By order,
Sd/-
Secretary.

ब अदालत श्री मदन कुमार, कार्यकारी दण्डाधिकारी, सदर मण्डी, जिला मण्डी (हि0 प्र0)

श्री सुन्दर लाल पुत्र श्री सन्त राम, निवासी गागल, डा0 गागल, तहसील सदर, जिला मण्डी, हिमाचल प्रदेश।

बनाम

आम जनता

प्रार्थना—पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री सुन्दर लाल पुत्र श्री सन्त राम, निवासी गागल, डाकघर गागल, तहसील सदर मण्डी, हिमाचल प्रदेश ने इस अदालत में प्रार्थना—पत्र मय शपथ—पत्र सहित मुकद्दमा दायर किया है कि उनके पुत्र लोक राज का जन्म दिनांक 5-10-2001 को हुआ था, परन्तु अज्ञानतावश उसकी जन्म तिथि ग्राम पंचायत गौड़ा गागल के रिकार्ड में दर्ज नहीं करा सका।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि इस बारे किसी को कोई एतराज हो तो दिनांक 29-10-2007 को असालतन या वकालतन प्रातः 11.00 बजे हाजिर हो कर अपना एतराज पेश कर सकता है। निर्धारित अवधि के पश्चात् कोई आपत्ति प्राप्त न होने पर प्रार्थना—पत्र श्री सुन्दर लाल पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 1-10-2007 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

मदन कुमार,
कार्यकारी दण्डाधिकारी,
सदर मण्डी, जिला मण्डी (हि0 प्र0)।

ब अदालत श्री मदन कुमार, कार्यकारी दण्डाधिकारी, सदर मण्डी, जिला मण्डी (हि0 प्र0)

श्रीमती खीमी देवी पुत्री श्री तुलसी राम, निवासी पुलघाट, डा0 गुटकर, तहसील सदर मण्डी, जिला मण्डी, हिमाचल प्रदेश।

बनाम

आम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्रीमती खीमी देवी पुत्री श्री तुलसी राम, निवासी पुलघाट, डाकघर गुटकर, तहसील सदर मण्डी, हिमाचल प्रदेश ने इस अदालत में प्रार्थना-पत्र मय शपथ-पत्र सहित मुकद्दमा दायर किया है कि उनकी स्वयं श्रीमती खीमी देवी पुत्री श्री तुलसी राम, निवासी पुलघाट का जन्म दिनांक 26-12-1955 को हुआ था परन्तु अज्ञानतावश उसकी जन्म तिथि ग्राम पंचायत तल्याहड़ के रिकार्ड में दर्ज नहीं करा सकी।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि इस बारे किसी को कोई एतराज हो तो दिनांक 29-10-2007 को अदालतन या वकालतन प्रातः 11.00 बजे हाजिर होकर अपना एतराज पेश कर सकता है। निर्धारित अवधि के पश्चात् कोई आपत्ति प्राप्त न होने पर प्रार्थना-पत्र श्रीमती खीमी देवी पुत्री श्री तुलसी राम पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 1-10-2007 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

मदन कुमार,
कार्यकारी दण्डाधिकारी,
सदर मण्डी, जिला मण्डी (हि0 प्र0)।

ब अदालत उप-पंजीकाध्यक्ष, तहसील सदर मण्डी, जिला मण्डी, हिमाचल प्रदेश

ब मुकद्दमा :

श्री सिधू राम पुत्र श्री लुहारू, निवासी चडयाणा, तहसील सदर, जिला मण्डी, हिमाचल प्रदेश ..प्रार्थी।

बनाम

आम जनता

..प्रत्यार्थी।

प्रार्थना-पत्र बराये पंजीकृत करने बारे।

उपरोक्त मुकद्दमा में प्रार्थी श्री सिधू राम पुत्र श्री लुहारू ने इस अदालत में प्रार्थना-पत्र गुजारा है कि उसका भाई हेम पुत्र श्री लुहारू, निवासी चडयाणा (सौलीखड), तहसील सदर, जिला मण्डी ने दिनांक 28-10-2006 को वसीयत तहरीर करवाई है। जो कि पंजीकृत नहीं हुई है उसके हक में पंजीकृत की जाए। हेम चन्द दिनांक 4-11-2006 को फौत हो चुका है।

अतः आम जनता को इस इशतहार द्वारा सूचित किया जाता है कि उपरोक्त वसीयत को पंजीकृत करने बारे किसी व्यक्ति/रिश्तेदार को उजर/एतराज हो तो वह दिनांक 5-11-2007 को प्रातः 10.00 बजे असालतन या वकालतन हाजिर आकर अपने एतराज पेश कर सकता है हाजिर न होने की सूरत में एकतरफा कार्यवाही अमल में लाई जाएगी तथा वसीयत को पंजीकृत करने के आदेश पारित कर दिए जाएंगे।

आज दिनांक 3-10-2007 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/-
उप-पंजीकाध्यक्ष,
मण्डी, जिला मण्डी (हि0 प्र0)।

ब अदालत सहायक समाहर्ता प्रथम श्रेणी, तहसील सदर, जिला मण्डी, हिमाचल प्रदेश

ब मुकद्दमा :

श्री रवी चन्द पुत्र श्री मोती, निवासी 82/10, मण्डी, जिला मण्डी, हिमाचल प्रदेश ..प्रार्थी।

बनाम

आम जनता ..प्रत्यार्थी।

प्रार्थना-पत्र नाम दुरुस्ती बारे।

श्री रवी चन्द पुत्र श्री मोती, निवासी 82/10, मण्डी, जिला मण्डी ने इस अदालत में प्रार्थना-पत्र गुजारा है कि उसका सही नाम रवी चन्द पुत्र श्री मोती, निवासी 82/10, मण्डी है परन्तु राजस्व अभिलेख में रति चन्द दर्ज हुआ है जो कि गलत है जिसकी पुष्टि के लिए प्रार्थी ने प्रार्थना-पत्र के साथ स्कूल प्रमाण-पत्र व नकल जमावन्दी संलग्न कर रखी है।

अतः इस इशतहार द्वारा सर्वसाधारण जनता को सूचित किया जाता है कि यदि किसी व्यक्ति/रिश्तेदार को प्रार्थी के नाम दुरुस्ती बारे कोई उजर/एतराज हो तो वह दिनांक 5-11-2007 को प्रातः 10.00 बजे असालतन या वकालतन हाजिर आकर अपने एतराज पेश कर सकता है हाजिर न होने की सूरत में एकतरफा कार्यवाही अमल में लाई जाएगी।

आज दिनांक 3-10-2007 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/-
सहायक समाहर्ता प्रथम श्रेणी,
तहसील सदर, जिला मण्डी (हि0 प्र0)।

In the Court of Sub-Divisional Collector, Sarkaghat, District Mandi (H. P.)

Case No. 4/2007.

Date of Institution 1-3-2007

Pending for 26- 11-2007

Singh *alias* Hari Singh s/o Shri Nek Ram, r/o Village Gorat, Ill. Kamlah, Tehsil Sarkaghat, District Mandi, Himachal Pradesh *..Appellant.*

Versus

1. Ravi Kumar, 2. Ranjeet Singh, 3.Kashmir Singh, all sons of Shri Sita Ram, 4.Saroja Devi d/o Shri Sita Ram, 5. Leela Devi wd/o Shri Sita Ram, all residents of village Gorat, Ill. Kamlah, Tehsil Sarkaghat, District Mandi (H.P.) *...Respondents.*

Appeal under section 14 of H. P. Land Revenue Act against the order of A.C. IInd Grade Sandhole dated 5-8-1997 passed in mutation No. 270.

(Proclamation under section 23 of Himachal Pradesh Land Revenue Act)

whereas in the above mentioned appeal the respondents were summoned but they are not being served through ordinary process of service. therefore, the respondents No. 1 to 5 are hereby informed through this proclamation that the next date of hearing in the above noted case has been fixed for 26-11-2007 and they are required to appear in this court at 10.00 A.M. to represent the case themselves or through their duly authorized agent failing which they will be proceeded *ex-parte*.

Given under my hand and the seal of the court 27th day of August, 2007.

Seal.

Sd/-

*Sub- Divisional Collector,
Sarkaghat, District Mandi (H. P.).*

In the Court of Sub-Divisional Collector, Sarkaghat, District Mandi (H. P.)

Case No. 3/2007.

Date of Institution 1-3-2007

Pending for 26- 11-2007

Khajana Ram s/o Shri Paras Ram s/o Shri Sansaru, r/o Village Hawani, III Hatli ,Tehsil Sarkaghat, District Mandi, Himachal Pradesh *...Appellant.*

Versus

1. Rattan Lal, 2. Vidya Sagar, 3. Jagar Nath, all sons of Shri Paras Ram, resident of Village Hwani, Ill, Hatli, Tehsil Sarkaghat, District Mandi (H.P.) at present r/o Village Ransal, Pargana Sariun, Tehsil Ghumarwin, District Bilaspur *.. Respondents.*

Appeal under section 14 of H. P. Land Revenue Act against the order of A.C. IInd Grade, Baldwara, dated 5-8-2006 passed in mutation No. 263.

Whereas in the above mentioned appeal the respondents were summoned but they are not being served through ordinary process of service. Therefore, the respondents No. 1 to 3 are hereby informed through this proclamation that the next date of hearing in the above noted case has been fixed for 26-11-2007 and they are required to appear in this court at 10.00 A.M. to represent the case themselves or through their duly authorized agent failing which they will be proceeded *ex-parte*.

Given under my hand and the seal of the court 27th day of August, 2007.

Seal.

Sd/-

*Sub- Divisional Collector,
Sarkaghat, District Mandi (H. P.).*

ब अदालत सहायक समाहर्ता प्रथम श्रेणी, सरकाघाट, जिला मण्डी, हिमाचल प्रदेश

मुकद्दमा शीर्षक :

श्री विधि सिंह पुत्र श्री दुर्गा सिंह, निवासी चुहकु, इलाका वैरा, डाकघर पौंटा, तहसील सरकाघाट, जिला मण्डी, हिमाचल प्रदेश ..प्राथी।

बनाम

आम जनता

..प्रत्यार्थी।

विषय.—नाम दुरुस्ती।

श्री विधि सिंह पुत्र श्री दुर्गा सिंह, निवासी चुहकु ने इस न्यायालय में प्रार्थना—पत्र पेश किया है कि उसका नाम विधि सिंह है परन्तु राजस्व रिकार्ड मुहाल वडोई में गलती से विधि चन्द दर्ज है।

अतः आम जनता को इस इश्तहार द्वारा सूचित किया जाता है कि यदि किसी को उक्त नाम दुरुस्ती बारे कोई एतराज हो तो वह असालतन या वकालतन दिनांक 16-11-2007 को प्रातः 10.00 बजे पेश कर सकते हैं। गैर हाजरी की सूरत में कार्यवाही एक पक्षीय अमल में लाई जाएगी।

आज दिनांक 22-9-2007 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—

सहायक समाहर्ता प्रथम श्रेणी,
सरकाघाट, जिला मण्डी (हि0 प्र0)।

मुकद्दमा शीर्षक :

श्री देव राज पुत्र श्री रिड़कू, निवासी खरसल, इलाका वैरा, तहसील सरकाघाट, जिला मण्डी, हिमाचल प्रदेश ..प्रार्थी।

बनाम

आम जनता ..प्रत्यार्थी।

विषय.—नाम दुरुस्ती।

श्री देव राज पुत्र श्री रिड़कू, निवासी खरसल इलाका वैरा ने इस न्यायालय में प्रार्थना-पत्र पेश किया है कि उसका सही नाम देव राज है परन्तु राजस्व रिकार्ड मुहाल खरसल में उसका नाम देव राज है।

अतः आम जनता को इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को उक्त नाम दुरुस्ती करने बारे कोई एतराज हो तो वह असालतन या वकालतन मिति 7-11-2007 को समय 10.00 बजे पेश कर सकते हैं। गैर हाजरी की सूरत में कार्यवाही एक पक्षीय अमल में लाई जाएगी।

आज दिनांक 19-9-2007 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित /—
सहायक समाहर्ता प्रथम श्रेणी,
सरकाघाट, जिला मण्डी (हि0 प्र0)।

ब अदालत श्री हेम चन्द ठाकुर, सहायक समाहर्ता प्रथम श्रेणी, तहसील फतेहपुर, जिला कांगड़ा, हिमाचल प्रदेश
केस नं0 16/दुरुस्ती/07 तारीख पेशी 16-11-07.

श्री देव राज पुत्र श्री दूलो, निवासी जगनोली, तहसील फतेहपुर ..प्रार्थी।

बनाम

आम जनता ..प्रतिवादी।

विषय.—प्रार्थना-पत्र बराए दुरुस्ती नाम।

उपरोक्त प्रार्थी ने प्रार्थना-पत्र प्रस्तुत किया है कि राजस्व अभिलेख में उसका नाम देस राज पुत्र दूलो दर्ज है परन्तु स्कूल प्रमाण-पत्रों व पंचायत जगनोली के रिकार्ड में उसका नाम देव राज दर्ज है। अतः दुरुस्ती राजस्व अभिलेख में करवाई जावे।

अतः इस इशतहार राजपत्र, हिमाचल प्रदेश द्वारा आम जनता को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त नाम दुरुस्ती करवाने बारे कोई एतराज हो तो वह असालतन या वकालतन दिनांक 16-11-2007 को प्रातः 10.00 बजे अदालत हजा में पेश करें । हाजिर न आने की सूरत में एक पक्षीय कार्यवाही अमल में लाई जाकर प्रार्थना-पत्र पर यथोचित आदेश पारित कर दिए जाएंगे ।

आज दिनांक 16-8-2007 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

हेम चन्द ठाकुर,
सहायक समाहर्ता प्रथम श्रेणी,
तहसील फतेहपुर, जिला कांगड़ा (हि0 प्र0)।

ब अदालत श्री हेम चन्द ठाकुर, सहायक समाहर्ता प्रथम श्रेणी, तहसील फतेहपुर, जिला कांगड़ा, हिमाचल प्रदेश

केस नं0 17/दुरुस्ती/07

तारीख पेशी 16-11-07.

श्रीमती इच्छया देवी पत्नी श्री रघुवीर सिंह, निवासी वरोट, तहसील फतेहपुर ..प्रार्थी ।

बनाम

आम जनता ..प्रतिवादी ।

विषय.- प्रार्थना-पत्र वराये दुरुस्ती नाम ।

उपरोक्त प्रार्थिया ने प्रार्थना-पत्र प्रस्तुत किया है कि राजस्व अभिलेख में उसके बेटे का नाम अजय कुमार पुत्र श्री रघुवीर सिंह दर्ज है परन्तु स्कूल प्रमाण-पत्रों व पंचायत सुनेट के रिकार्ड में उसका नाम राकेश कुमार दर्ज है । अतः दुरुस्ती राजस्व अभिलेख में करवाई जावे ।

अतः इस इशतहार राजपत्र, हिमाचल प्रदेश द्वारा आम जनता को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त नाम दुरुस्त करवाने बारे कोई एतराज हो तो वह असालतन या वकालतन दिनांक 16-11-07 को प्रातः 10.00 बजे अदालत हजा में पेश करें । हाजिर न आने की सूरत में एक पक्षीय कार्यवाही अमल में लाई जा कर प्रार्थना-पत्र पर यथोचित आदेश पारित कर दिए जाएंगे ।

आज दिनांक 16-8-2007 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

हेम चन्द ठाकुर,
सहायक समाहर्ता प्रथम श्रेणी,
तहसील फतेहपुर, जिला कांगड़ा (हि0 प्र0)।

केस नं0 9/बी/07

तारीख पेशी 16-11-07.

श्रीमती सीमा कुमारी पत्नी श्री संजय कुमार, निवासी धमेटा, तहसील फतेहपुर ।

बनाम

आम जनता

विषय.—प्रार्थना—पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

प्रार्थिया सीमा कुमारी पत्नी श्री संजय कुमार, निवासी धमेटा, जिला कांगड़ा, हिमाचल प्रदेश ने प्रार्थना—पत्र पेश किया है कि उसके पुत्र रियाश कुमार पुत्र संजय कुमार का जन्म दिनांक 11-10-2003 को गांव धमेटा, तहसील फतेहपुर में हुआ था परन्तु अज्ञानतावश वह उसकी जन्म तिथि पंचायत रिकार्ड में दर्ज न करवा सका है तथा दर्ज करने की प्रार्थना की है ।

अतः इस इशतहार राजपत्र, हिमाचल प्रदेश द्वारा आम जनता को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त जन्म तिथि 11-10-2003 को ग्राम पंचायत धमेटा के रिकार्ड में दर्ज करने में कोई आपत्ति हो तो वह असालतन या वकालतन दिनांक 16-11-07 को सुबह 10.00 बजे हाजिर हो कर एतराज प्रस्तुत कर सकता है अन्यथा जन्म तिथि को ग्राम पंचायत धमेटा के रिकार्ड में दर्ज करने के आदेश पारित कर दिए जाएंगे ।

आज दिनांक 16-8-2007 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

हेम चन्द ठाकुर,

कार्यकारी दण्डाधिकारी,

फतेहपुर, जिला कांगड़ा (हि0 प्र0)

ब अदालत श्री हेम चन्द ठाकुर, कार्यकारी दण्डाधिकारी फतेहपुर, जिला कांगड़ा (हि0 प्र0)

केस नं0 10/बी/07

तारीख पेशी 16-11-07.

सोमा देवी पत्नी श्री चंचल सिंह, साकन हडवाल, डा0 धमेटा, तहसील फतेहपुर, जिला कांगड़ा

बनाम

आम जनता

विषय.— प्रार्थना—पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

प्रार्थिया सोमा देवी पत्नी चंचल सिंह, निवासी हडवाल, फतेहपुर, जिला कांगड़ा, हिमाचल प्रदेश ने प्रार्थना—पत्र पेश किया है कि उसके पुत्र कुलदीप सिंह पुत्र चंचल सिंह का जन्म तिथि 10-9-1991 को गांव हडवाल, तहसील फतेहपुर में हुआ था परन्तु अज्ञानतावश वह उसकी जन्म तिथि पंचायत रिकार्ड में दर्ज न करवा सका है तथा दर्ज करने की प्रार्थना की है ।

अतः इस इशतहार राजपत्र, हिमाचल प्रदेश द्वारा आम जनता को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त जन्म तिथि 10-9-1991 को ग्राम पंचायत हडवाल के रिकार्ड में दर्ज करने में कोई आपत्ति हो तो वह असालतन या वकालतन दिनांक 16-11-07 को सुबह 10.00 बजे हाजिर होकर एतराज प्रस्तुत कर सकता है अन्यथा जन्म तिथि को ग्राम पंचायत हडवाल के रिकार्ड में दर्ज करने के आदेश पारित कर दिए जाएंगे।

आज दिनांक 16-8-2007 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

हेम चन्द ठाकुर,
कार्यकारी दण्डाधिकारी,
फतेहपुर, जिला कांगड़ा (हि0 प्र0)।

ब अदालत श्री हेम चन्द ठाकुर, कार्यकारी दण्डाधिकारी फतेहपुर, जिला कांगड़ा, हिमाचल प्रदेश

केस नं0 11/बी/07

तारीख पेशी 16-11-07.

सोमा देवी पत्नी श्री चंचल सिंह, निवासी हडवाल, डा0 धमेटा, तहसील फतेहपुर ।

बनाम

आम जनता

विषय.—प्रार्थना—पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

प्रार्थिया सोमा देवी पत्नी श्री चंचल सिंह, निवासी हडवाल फतेहपुर, जिला कांगड़ा, हिमाचल प्रदेश ने प्रार्थना—पत्र पेश किया है कि उसकी पुत्री मोनिका पुत्री चंचल सिंह का जन्म तिथि 18-3-1989 को गांव हडवाल, तहसील फतेहपुर में हुआ था परन्तु अज्ञानतावश वह उसकी जन्म तिथि पंचायत रिकार्ड में दर्ज न करवा सका है तथा दर्ज करने की प्रार्थना की है ।

अतः इस इशतहार राजपत्र, हिमाचल प्रदेश द्वारा आम जनता को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त जन्म तिथि 18-3-1989 को ग्राम पंचायत हडवाल के रिकार्ड में दर्ज करने में कोई आपत्ति हो तो वह असालतन या वकालतन दिनांक 16-11-07 को सुबह 10.00 बजे हाजिर होकर एतराज प्रस्तुत कर सकता है अन्यथा जन्म तिथि को ग्राम पंचायत हडवाल के रिकार्ड में दर्ज करने के आदेश पारित कर दिए जाएंगे ।

आज दिनांक 16-8-07 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

हेम चन्द ठाकुर,
कार्यकारी दण्डाधिकारी,
फतेहपुर, जिला कांगड़ा (हि0 प्र0) ।

ब अदालत श्री हेम चन्द ठाकुर, कार्यकारी दण्डाधिकारी, फतेहपुर, जिला कांगड़ा, (हि0 प्र0)

केस नं0 12/बी/07

तारीख पेशी 16-11-07

श्री महिन्द्र सिंह पुत्र श्री मोती राम, गांव लटवाला, डा0 गदरोली, तहसील फतेहपुर

बनाम

आम जनता

विषय.—प्रार्थना—पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

प्रार्थी महिन्द्र सिंह पुत्र श्री मोती राम, गांव लटवाल फतेहपुर, जिला कांगड़ा, हिमाचल प्रदेश ने प्रार्थना—पत्र पेश किया है कि उसकी पुत्री नितिका पुत्री महिन्द्र सिंह का जन्म दिनांक 24-11-2003 को गांव लटवाला, तहसील फतेहपुर में हुआ था परन्तु अज्ञानतावश वह उसकी जन्म तिथि पंचायत रिकार्ड में दर्ज न करवा सका है तथा दर्ज करने की प्रार्थना की है।

अतः इस इशतहार राजपत्र, हिमाचल प्रदेश द्वारा आम जनता को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त जन्म तिथि 24-11-2003 को ग्राम पंचायत ठेहड़ के रिकार्ड में दर्ज करने में कोई आपत्ति हो तो वह असालतन या वकालतन दिनांक 16-11-2007 को सुबह 10.00 बजे हाजिर होकर एतराज प्रस्तुत कर सकता है अन्यथा जन्म तिथि को ग्राम पंचायत ठेहड़ के रिकार्ड में दर्ज करने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 16-8-2007 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

हेम चन्द ठाकुर,
कार्यकारी दण्डाधिकारी,
फतेहपुर, जिला कांगड़ा (हि0 प्र0)।

ब अदालत श्री हेम चन्द ठाकुर, कार्यकारी दण्डाधिकारी, फतेहपुर, जिला कांगड़ा (हि0 प्र0)

केस नं0 13/डी/07

तारीख 16-11-07.

श्री जसमान सिंह पुत्र श्री रोशन सिंह, निवासी डडे कटवाल, डा0 घेरा, तहसील मुकेरियां, जिला होशियारपुर, पंजाब।

बनाम

आम जनता

विषय.—प्रार्थना—पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

प्रार्थी जसमान सिंह पुत्र श्री रोशन सिंह, निवासी डडे कटवाल, डा0 घेरा, तहसील मुकेरियां होशियारपुर ने प्रार्थना—पत्र पेश किया है कि उसके भाई हरभजन सिंह पुत्र श्री रोशन सिंह की मृत्यु दिनांक 07-10-1997 को गांव रियाली, तहसील फतेहपुर में हुई थी परन्तु अज्ञानतावश वह उसकी मृत्यु तिथि पंचायत रिकार्ड में दर्ज न करवा सका है तथा दर्ज करने की प्रार्थना की है ।

अतः इस इशतहार राजपत्र, हिमाचल प्रदेश द्वारा आम जनता को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त मृत्यु तिथि 07-10-1997 को ग्राम पंचायत रियाली के रिकार्ड में दर्ज करने में कोई आपत्ति हो तो वह असालतन या वकालतन दिनांक 23-10-07 को सुबह 10.00 बजे हाजिर होकर एतराज प्रस्तुत कर सकता है अन्यथा मृत्यु तिथि को ग्राम पंचायत रियाली के रिकार्ड में दर्ज करने के आदेश पारित कर दिए जाएंगे ।

आज दिनांक 16-8-07 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

हेम चन्द ठाकुर,
कार्यकारी दण्डाधिकारी,
फतेहपुर, जिला कांगड़ा (हि0 प्र0) ।

ब अदालत श्री हंस राज भाटिया, तहसीलदार एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा,
हिमाचल प्रदेश

श्री महिन्द्र सिंह

बनाम

आम जनता ।

विषय.—प्रार्थना—पत्र जेर धारा 13(3) हि0 प्र0 पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता ।

श्री महिन्द्र सिंह पुत्र श्री अमर सिंह, निवासी गवलीदाड़, तहसील धर्मशाला, जिला कांगड़ा ने इस अदालत में शपथ—पत्र सहित मुकद्दमा दायर किया है कि उसके पुत्र अकुल ठाकर का जन्म दिनांक 16-1-2004 को हुआ है। परन्तु ग्राम पंचायत गवलीदाड़ में जन्म तिथि पंजीकृत न है। अतः इसे पंजीकृत किए जाने के आदेश दिए जाएं। इस नोटिस के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उपरोक्त बच्चे अकुल ठाकर का जन्म पंजीकृत किए जाने बारे कोई एतराज हो तो वह अपना एतराज हमारी अदालत में दिनांक 6-11-2007 को असालतन या वकालतन हाजिर आकर अपना एतराज पेश कर सकता है अन्यथा मुताबिक शपथ—पत्र जन्म तिथि पंजीकृत किए जाने बारे आदेश पारित कर दिए जाएंगे ।

आज दिनांक 28-9-2007 को हमारे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया ।

मोहर ।

हंस राज भाटिया,
तहसीलदार एवं कार्यकारी दण्डाधिकारी,
धर्मशाला, जिला कांगड़ा (हि0 प्र0) ।

ब अदालत श्री हंस राज भाटिया, तहसीलदार एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा,
हिमाचल प्रदेश

मुकद्दमा नं० 85/2007/Teh.

श्री Prem Narayan Pradhan

बनाम

आम जनता।

विषय.— प्रार्थना—पत्र जेर धारा 13(3) हि० प्र० पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता ।

श्री Prem Narayan Pradhan पुत्र श्री Belwanti Pradhan, निवासी Ram Nagar, तहसील धर्मशाला, जिला कांगड़ा ने इस अदालत में शपथ—पत्र सहित मुकद्दमा दायर किया है कि उसकी अपनी माता Belwanti Pradhan की मृत्यु दिनांक 23-12-1993 को हुई है । परन्तु ग्राम पंचायत Gabbli Dano में मृत्यु तिथि पंजीकृत न है। अतः इसे पंजीकृत किए जाने के आदेश दिए जाएं । इस नोटिस के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उसकी माता उपरोक्त Belwanti Pradhan की मृत्यु तिथि पंजीकृत किए जाने बारे कोई एतराज हो तो वह अपना एतराज हमारी अदालत में दिनांक 23-10-2007 को असालतन या वकालतन हाजिर आकर अपना एतराज पेश कर सकता है अन्यथा मुताबिक शपथ—पत्र मृत्यु तिथि पंजीकृत किए जाने बारे आदेश पारित कर दिए जाएंगे ।

आज दिनांक 24-9-2007 को हमारे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

हंस राज भाटिया,
तहसीलदार एवं कार्यकारी दण्डाधिकारी,
धर्मशाला, जिला कांगड़ा (हि० प्र०)।

ब अदालत श्री आर० डी० हरनोट, तहसीलदार एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश

श्री नरेश कुमार

बनाम

आम जनता।

विषय.—प्रार्थना—पत्र जेर धारा 13(3) हि० प्र० पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता ।

श्री नरेश कुमार पुत्र श्री जगदीश चन्द, निवासी झयोल, तहसील धर्मशाला, जिला कांगड़ा ने इस अदालत में शपथ—पत्र सहित मुकद्दमा दायर किया है कि उसके पुत्र अभिषेक का जन्म दिनांक 17-7-2004

को हुआ है। परन्तु ग्राम पंचायत झयोल में जन्म तिथि पंजीकृत न है। अतः इसे पंजीकृत किए जाने के आदेश दिए जाएं। इस नोटिस द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उपरोक्त बच्चे अभिषेक का जन्म पंजीकृत किए जाने बारे कोई एतराज हो तो वह दिनांक 30-10-2007 को असातन या वकालतन हाजिर आकर अपना एतराज पेश कर सकता है अन्यथा मुताबिक शपथ-पत्र जन्म तिथि पंजीकृत किए जाने के आदेश पारित कर दिए जाएंगे।

आज दिनांक 9-8-2007 को हमारे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर।

आर० डी० हरनोट,
तहसीलदार एवं कार्यकारी दण्डाधिकारी,
तहसील धर्मशाला, जिला कांगड़ा (हि० प्र०)।

ब अदालत श्रीमती सुष्मा वत्स तहसीलदार एवं कार्यकारी दण्डाधिकारी पच्छाद, जिला सिरमौर (हि० प्र०)

श्री पदम स्वरूप पुत्र श्री राम स्वरूप, निवासी ग्राम जोहाना, डाकघर सराहां, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

आम जनता

जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम 1969.

श्री पदम स्वरूप पुत्र श्री राम स्वरूप, निवासी ग्राम जोहाना, डाकघर सराहां, तहसील पच्छाद ने इस अदालत में प्रार्थना-पत्र गुजारा है कि उसकी पुत्री प्रियंका शर्मा पुत्री श्री पदम स्वरूप का जन्म मिति 1-8-2007 को हुआ है, जिसका इन्द्राज ग्राम पंचायत सराहां, तहसील पच्छाद में दर्ज नहीं हुआ है।

अतः इस ईशतहार द्वारा हर आम व खास को सूचित किया जाता है कि यदि किसी को उक्त नाम या तिथि पंचायत रिकार्ड में दर्ज करने बारे कोई एतराज हो तो वह दिनांक 30-10-2007 को या इससे पूर्व अदालत में हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा सचिव ग्राम पंचायत को सम्बन्धित उक्त नाम व तिथि दर्ज करने बारे आदेश जारी कर दिए जाएंगे।

आज दिनांक 28-9-07 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

सुष्मा वत्स,
तहसीलदार एवं कार्यकारी दण्डाधिकारी,
पच्छाद, जिला सिरमौर (हि० प्र०)।

ब अदालत श्री मति सुष्मा वत्स, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी पच्छाद, सिरमौर (हि0 प्र0)

श्री नरेन्द्र पुत्र श्री शरधा राम, निवासी ग्राम आंजी, डाकघर जनोट, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

आम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री नरेन्द्र पुत्र श्री शरधा राम, निवासी ग्राम आंजी, डाकघर जनोट, तहसील पच्छाद ने इस अदालत में प्रार्थना-पत्र गुजारा है कि उसकी पुत्री आंचल पुत्री श्री नरेन्द्र का जन्म मिति 2-7-2002 को हुआ, जिसका इन्द्राज ग्राम पंचायत सूरला जनोट तहसील पच्छाद में दर्ज नहीं हुआ है।

अतः इस इश्टहार द्वारा हर आम व खास को सूचित किया जाता है कि यदि किसी को उक्त नाम या तिथि पंचायत रिकार्ड में दर्ज करने बारे कोई एतराज हो तो वह दिनांक 30-10-2007 को या इससे पूर्व अदालत में हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा सचिव ग्राम पंचायत को सम्बन्धित उक्त नाम व तिथि दर्ज करने के आदेश जारी कर दिए जाएंगे।

आज दिनांक 28-9-2007 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

सुष्मा वत्स,
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,
पच्छाद, जिला सिरमौर (हि0 प्र0)।

ब अदालत जनाब श्री मति सुष्मा वत्स, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी पच्छाद, जिला सिरमौर (हि0 प्र0)

श्रीमती सुमित्रा देवी पत्नी श्री बाबू राम, निवासी ग्राम आंजी, डाकघर जनोट, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

आम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्रीमती सुमित्रा देवी पत्नी श्री बाबू राम, निवासी ग्राम आंजी, डाकघर जनोट, तहसील पच्छाद ने इस अदालत में प्रार्थना-पत्र गुजारा है कि उसके पति स्व0 बाबू राम पुत्र श्री भूरिया राम की मृत्यु मिति 27-7-2007 को हुई, जिसका इन्द्राज ग्राम पंचायत सूरला जनोट, तहसील पच्छाद में दर्ज नहीं हुआ है।

अतः इस इशतहार द्वारा हर आम व खास को सूचित किया जाता है कि यदि किसी को उक्त नाम या तिथि पंचायत रिकार्ड में दर्ज करने बारे कोई एतराज हो तो वह दिनांक 30-10-2007 को या इससे पूर्व अदालत में हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा सचिव ग्राम पंचायत को सम्बन्धित उक्त नाम व तिथि दर्ज करने बारे आदेश जारी कर दिए जाएंगे।

आज दिनांक 28-9-2007 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

सुष्मा वत्स,
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,
पच्छाद, जिला सिरमौर (हि0 प्र0)।

ब अदालत जनाब श्रीमती सुष्मा वत्स, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी पच्छाद, जिला सिरमौर (हि0 प्र0)

श्रीमती सुनिता देवी पत्नी श्री मनोज कुमार, निवासी ग्राम झनकला-जमलोग, डाकघर वासनी, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

आम जनता

दरेखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्रीमती सुनिता देवी पत्नी श्री मनोज कुमार, निवासी ग्राम झनकला-जमलोग, डाकघर वासनी, तहसील पच्छाद ने इस अदालत में प्रार्थना-पत्र मय शपथ-पत्र गुजारा है कि सुनीता देवी पत्नी श्री मनोज कुमार का जन्म मिति 18-5-1983 को हुआ, जिसका इन्द्राज ग्राम पंचायत वासनी, तहसील पच्छाद में दर्ज नहीं हुआ है।

अतः इस इशतहार द्वारा हर आम व खास को सूचित किया जाता है कि यदि किसी को उक्त नाम या तिथि पंचायत रिकार्ड में दर्ज करने बारे कोई एतराज हो तो वह दिनांक 30-10-2007 को या इससे पूर्व अदालत में हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा सचिव ग्राम पंचायत को सम्बन्धित उक्त नाम व तिथि दर्ज करने बारे आदेश जारी कर दिए जाएंगे।

आज दिनांक 28-9-2007 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

सुष्मा वत्स,
नायबतहसीलदार एवं कार्यकारी दण्डाधिकारी,
पच्छाद, जिला सिरमौर (हि0 प्र0)।

ब अदालत जनाब श्रीमती सुष्मा वत्स, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी पच्छाद, जिला सिरमौर
हिमाचल प्रदेश

श्रीमती सुनिता देवी पत्नी श्री मनोज कुमार, निवासी ग्राम झनकला-जमलोग, डाकघर वासनी, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

आम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्रीमती सुनिता देवी पत्नी श्री मनोज कुमार, निवासी ग्राम झनकला-जमलोग, डाकघर वासनी, तहसील पच्छाद ने इस अदालत में प्रार्थना-पत्र मय शपथ-पत्र गुजारा है कि उसकी पुत्री कुमारी पुनम पुत्री श्रीमती सुनीता देवी जन्म मिति 7-7-1998 को हुआ, जिसका इन्द्राज ग्राम पंचायत वासनी, तहसील पच्छाद में दर्ज नहीं हुआ है।

अतः इस इशतहार द्वारा हर आम व खास को सूचित किया जाता है कि यदि किसी को उक्त नाम या तिथि पंचायत रिकार्ड में दर्ज करने बारे कोई एतराज हो तो वह दिनांक 30-10-2007 को या इससे पूर्व अदालत में हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा सचिव ग्राम पंचायत को सम्बन्धित उक्त नाम व तिथि दर्ज करने बारे आदेश जारी कर दिए जाएंगे।

आज दिनांक 28-9-2007 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

सुष्मा वत्स,
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,
तहसील पच्छाद, जिला सिरमौर (हि0 प्र0)।

ब अदालत सुष्मा वत्स, तहसीलदार एवं सहायक समाहर्ता प्रथम श्रेणी पच्छाद, जिला सिरमौर (हि0 प्र0)

मि0 नं0 25/9 आफ 2007

उनवान मुकद्दमा
तकसीम भूमि

तारीख पेशी
1-11-2007

नोटिस बनाम :

श्री लेख राज, जमना दास व पवन कुमार पुत्रान व जयवन्ती देवी पुत्री पार्वती देवी, निवासी चामला पंचकुला, डा0 कोटी, तहसील व जिला पंचकुला (हरियाणा)।

दरखास्त तकसीम भूमि जेर दफा 123 (हि0 प्र0) भू-सुधार अधिनियम, 1954 बाबत मुन्द्राज खाता खतौनी नं0 20/28 कित्ता 85, तादादी 216-15 वाका मौजा गनयाना वेलगी।

उपरोक्त फरीकदोयम को इस न्यायालय से समन जारी किए गए थे परन्तु फरीक दौम की साधारण ढंग से तामील नहीं हो रही है।

अतः उपरोक्त फरीकैन दोयम को बजरिया इश्तहारान राजपत्र, हिमाचल प्रदेश द्वारा सूचित किया जाता है कि वह दिनांक 1-11-2007 को प्रातः 10.00 बजे असालतन या वकालतन हाजिर आकर पैरवी मुकद्दमा करें अन्यथा हाजिर न आने की सूरत में एकतरफा कार्यवाही अमल में लाई जाएगी।

मोहर।

सुष्मा वत्स,
तहसीलदार एवं सहायक समाहर्ता प्रथम श्रेणी,
पच्छाद, जिला सिरमौर, हिमाचल प्रदेश।

ब अदालत सुष्मा वत्स, तहसीलदार एवं सहायक समाहर्ता प्रथम श्रेणी पच्छाद, जिला सिरमौर (हि0 प्र0)

मि0 नं0 14/9 आफ 2007

उनवान मुकद्दमा

तारीख पेशी

व 13/9 आफ 2007

तकसीम भूमि

20-10-2007

नोटिस बनाम :

श्री गोरख राम पुत्र श्री केदारु राम, निवासी टिक्कर, डाकघर सराहां, तहसील पच्छाद, जिला सिरमौर हिमाचल प्रदेश।

दरखास्त तकसीम भूमि जेर दफा 123 (हि0 प्र0) भू-राजस्व अधिनियम, 1954 बाबत मुन्द्राज खाता खतौनी नं0 28/40, 29/41 कित्ता 20 तादादी 464-10, 61-6 विघा, वाका मौजा टिक्कर।

उपरोक्त फरीकदोयम को इस न्यायालय से समन जारी किए गए थे परन्तु फरीक दौम की साधारण ढंग से तामील नहीं हो रही है।

अतः उपरोक्त फरीकैन दोयम को बजरिया इश्तहारान राजपत्र, हिमाचल प्रदेश द्वारा सूचित किया जाता है कि वह दिनांक 20-10-2007 को प्रातः 10.00 बजे असालतन या वकालतन हाजिर आकर पैरवी मुकद्दमा करें अन्यथा हाजिर न आने की सूरत में एकतरफा कार्यवाही अमल में लाई जाएगी।

मोहर।

सुष्मा वत्स,
तहसीलदार एवं सहायक समाहर्ता प्रथम श्रेणी,
पच्छाद, जिला सिरमौर, हिमाचल प्रदेश।

ब अदालत सुष्मा वत्स, तहसीलदार एवं सहायक समाहर्ता प्रथम श्रेणी पच्छाद, जिला सिरमौर (हि0 प्र0)

मि0 नं0 7/9 आफ 2007

उनवान मुकद्दमा
तकसीम भूमि

तारीख पेशी
22-10-2007

नोटिस बनाम :

श्री प्रकाश पुत्र डा0 बेनी प्रसाद, निवासी C/o पअियाला फरनिचर हाउस, चण्डीगढ़, यू0 टी0।

दरखास्त तकसीम भूमि जेर दफा 123 (हि0 प्र0) भू-राजस्व अधिनियम, 1954 बाबत मुन्द्राज खाता खतौनी नं0 27/46, कित्ता 7, तादादी 6-4 विघा वाका मौजा बटोल।

उपरोक्त फरीकदोयम को इस न्यायालय से समन जारी किए गए थे परन्तु फरीक दौम की साधारण ढंग से तामील नहीं हो रही है।

अतः उपरोक्त फरीकैन दोयम को बजरिया इश्तहारान राजपत्र, हिमाचल प्रदेश द्वारा सूचित किया जाता है कि वह दिनांक 22-10-2007 को प्रातः 10.00 बजे असालतन या वकालतन हाजिर आकर पैरवी मुकद्दमा करें अन्यथा हाजिर न आने की सूरत में एकतरफा कार्यवाही अमल में लाई जाएगी।

मोहर।

सुष्मा वत्स,
तहसीलदार एवं सहायक समाहर्ता प्रथम श्रेणी,
पच्छाद, जिला सिरमौर, हिमाचल प्रदेश।

ब अदालत सहायक समाहर्ता प्रथम श्रेणी, (तहसीलदार नाहन), जिला सिरमौर

मिसल नं0 35/07

अनुवान मुकद्दमा:

दिलेर सिंह

बनाम

आम जनता।

इश्तहार :

प्रार्थी श्री दिलेर सिंह पुत्र श्री मेहर सिंह, निवासी रानी ताल, नाहन ने इस अदालत में आवेदन किया है कि उसकी जाती सैनी है परन्तु राजस्व रिकार्ड नाहन में उसकी जाती माली दर्ज चली आ रही है जिसे राजस्व रिकार्ड में दुरुस्त करके सैनी दर्ज की जावे। अतः इस इश्तहार के द्वारा आम जनता को सूचित किया जाता है कि यदि उक्त परिवार की जाति तबदील करने बारे किसी को कोई उजर/एतराज हो तो वह अपना उजर/एतराज दिनांक 6-11-2007 को या इससे पहले अदालत में पेश कर सकता है। यदि किसी को कोई उजर/एतराज पेश नहीं हुआ तो आम जनता के खिलाफ एकतरफा कार्यवाही अमल में लाई जावेगी व प्रार्थी की जाति राजस्व रिकार्ड में दुरुस्त कर दी जावेगी।

आज दिनांक 3-10-2007 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित /—
सहायक समाहर्ता प्रथम श्रेणी,
जिला सिरमौर, हिमाचल प्रदेश।

लोक निर्माण विभाग

अधिसूचना

शिमला-2,1 मई, 2007

संख्या: पी.बी.डब्ल्यू(बी)ए:160/2006.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु नामत ग्राम सन्दल, तहसील शिमला ग्रामीण, जिला शिमला में शिमला-कांगडा-मटौर राष्ट्रीय उच्च मार्ग-88 के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है, अतएव एतद् द्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इससे सम्बन्धित हो सकते हैं, की जानकारी के लिए भू-अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने और सर्वेक्षण करने तथा उस धारा द्वारा अपेक्षित अथवा अनुमत: अन्य सभी कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. अत्याधिक आवश्यकता के दृष्टिगत राज्यपाल, हिमाचल प्रदेश उक्त अधिनियम की धारा 17(4) के अधीन यह भी निर्देश देते हैं कि उक्त अधिनियम की धारा 5(ए)(2) के उपबन्ध इस मामले में लागू नहीं होंगे।

5. भूमि का रेंखाक का निरीक्षण कार्यालय भू-अर्जन समाहर्ता, हिमाचल प्रदेश, लोक निर्माण विभाग (दक्षिण क्षेत्र), विन्टर फिल्ड, शिमला 3 में किया जा सकता है।

विवरणी

जिला	तहसील	गांव	खसरा नम्बर	क्षेत्र(वर्गमीटर),
शिमला	शिमला (ग्रामीण)	सन्दल	50	0-05-90
			205/23/1	0-03-24
			206/23/1	0-00-72
			209/23/2	0-01-28
			209/23/1/1	0-01-76
		कुल जोड	किता-5	0-24-15

आदेश द्वारा,
हस्ता /—
प्रधान सचिव।

**HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION
SHIMLA**

NOTIFICATION

Shimla, the 10th October, 2007

No. HPERC/MYT/476 (1).—In exercise of powers conferred by clauses (zd), (ze) and (zf) of sub-section (2) of section 181 read with sections 61, 62 and 86, of the Electricity Act 2003 (36 of 2003) and all other powers enabling it in that behalf, the Himachal Pradesh Electricity Regulatory Commission, after previous publication, hereby makes the following regulations namely:—

REGULATIONS

PART-I

PRELIMINARY

1. Short title and commencement.—(1) These regulations shall be called the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Hydro Generation Tariff) Regulations, 2007.

(2) These regulations shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh.

2. Scope and extent of application.— (1) These regulations shall be applicable where the capital cost based tariff is determined by the Commission.

(2) Where tariff has been determined through transparent process of bidding in accordance with the guidelines issued by the Central Government, the Commission shall adopt such tariff in accordance with the provisions of the Act.

(3) These regulations shall extend to the whole of the State of Himachal Pradesh.

3. Definitions and interpretation.—(1) In these regulations, unless the context otherwise requires, —

(a) “**Act**” means the Electricity Act, 2003 (36 of 2003);

(b) “**Appendix**” means the appendix of these regulations;

(c) “**Applicant**” means a generating company who has made an application for determination of tariff or an application for annual performance review in accordance with the Act and these regulations and includes a generating company whose tariff is the subject of a review by the Commission either suo motu or on a petition filed by any interested or affected person or as part of an annual performance review;

(d) “**Auxiliary Energy Consumption**” or 'AUX' in relation to a period means the quantum of energy consumed by auxiliary equipment of the generating station, and shall be expressed as a percentage of the sum of gross energy generated at the generator terminals of all the units of the generating station;

- (e) “**Bank Rate**” shall mean the rate at which Reserve Bank of India lends to commercial banks as specified in monetary policy on April 1, of the relevant year;
- (f) “**Base Year**” means the financial year immediately preceding the first year of the control period;
- (g) “**Beneficiary**” in relation to a generating station means the person buying power generated at such a generating station on payment of annual capacity charges;
- (h) “**Capacity Index**” or “CI” means the average of daily capacity indices over one year;
- (i) “**Commission**” means the Himachal Pradesh Electricity Regulatory Commission;
- (j) “**Conduct of Business Regulations**” means the Himachal Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 2005;
- (k) “**Control Period**” means a multi-year period fixed, by the Commission, from time to time, usually 5 years for which the principles of determination of revenue requirement and tariff will be fixed. However, the first control period shall be of the duration of 3 years;
- (l) “**Cut off Date**”, in relation to a generating station, means the date of first financial year closing after one year of the date of commercial operation of the generating station;
- (m) “**Daily Capacity Index**” means the declared capacity expressed as a percentage of the maximum available capacity for the day, and shall be mathematically expressed as: —
- $$\text{Declared capacity (MW)} \times 100 / \text{maximum available capacity (MW)}$$
- Daily capacity index shall be limited to 100%;
- (n) “**Date of Commercial Operation**” or “COD”:
- (i) in relation to a unit, means the date declared by the generator after demonstrating the maximum continuous rating (MCR) or installed capacity (IC) through a successful trial run after notice to the beneficiaries;
- (ii) in relation to the generating station, means the date of commercial operation of the last unit of the generating station in accordance with the sub-clause (i) above;
- (o) “**Declared Capacity**” or “DC”, -
- (i) for run-of-river power stations with pondage and storage-type power stations, means the ex-bus capacity in MW expected to be available from the generating station over the peaking hours of next day, as declared by the generator, taking into account the availability of water, optimum use of water and availability of machines (peaking hours for this purpose shall not be less than 3 hours within a 24 hours period); and

- (ii) for purely run-of-river power stations, means the ex-bus capacity in MW expected to be available from the generating station during the next day, as declared by the generating station, taking into account the availability of water, optimum use of water and availability of machines;
- (p) “**Deemed Generation**” means the energy which a generating station was capable of generating but could not generate due to conditions of Grid or power system beyond the control of generating station resulting in spillage of water;
- (q) “**Design Energy**” means the quantum of energy which could be generated in a 90% dependable year with 95% installed capacity of the generating station;
- (r) “**Financial Year**” means a period commencing on 1st April of a calendar year and ending on 31st March of the subsequent calendar year;
- (s) “**Infirm Power**” means electricity generated prior to commercial operation of the unit of a generating station;
- (t) “**Installed Capacity**” or “**IC**” means the summation of the name plate capacities of all the units of the generating station or the de-rated capacity of the generating station (reckoned at the generator terminals) as approved by the Commission from time to time;
- (u) “**Maximum Available Capacity**” –
 - (i) for run-of-river power stations with pondage and storage-type power stations, means the maximum capacity in MW, that can be generated with all units running, under the prevailing conditions of water levels and flows, over the peaking hours of the next day (peaking hours for this purpose shall not be less than 3 hours within a 24 hours period); and
 - (ii) for purely run-of-river power stations, means the maximum capacity in MW that can be generated with all units running, under the prevailing conditions of water levels and flows over the next day;
- (v) “**Primary Energy**” means the quantum of energy generated up to the design energy on per year basis at the generating station;
- (w) “**Project**” means a hydro generating station and includes the complete hydro power generating facility covering all components such as dam, intake, water conductor system, power generating station and generating units of the scheme as apportioned to power generation;
- (x) “**Run-of-river Power Station**” means a hydro electric power generating station which has no upstream pondage;
- (y) “**Run-of-river Power Station with Pondage**” means a hydro electric power generating station with sufficient pondage for meeting the diurnal variation in power demand;

- (z) “**Saleable Primary Energy**” means the quantum of primary energy available for sale (ex-bus) after allowing for free energy to the State;
- (aa) “**Saleable Secondary Energy**” means the quantum of secondary energy available for sale (ex-bus) after allowing for free energy to the State;
- (bb) “**Scheduled Energy**” means the quantum of energy to be generated at the generating station over the 24 hours period, as scheduled by the State Load Despatch Centre;
- (cc) “**Secondary Energy**” means the quantum of energy generated in excess of the design energy on per year basis at the generating station;
- (dd) “**Storage Type Power Station**” means a hydro electric power generating station associated with large storage capacity to enable variation of generation of power according to demand;
- (ee) “**State Load Despatch Centre**” or “**SLDC**” means the centre established by the State Government for the purposes of exercising the powers and discharging the functions under section 31 of the Act;
- (ff) “**State**” means the State of Himachal Pradesh.
- (2) The words and expressions used and not defined in these regulations but defined in the Act shall have the meanings respectively assigned to them in the Act.

PART-II

GUIDING PRINCIPLES

4. General Approach.—(1) These regulations shall be applicable to all cases of determination of generation tariff under section 62 of the Act, for supply of electricity to a distribution licensee by the existing generating stations, but shall not be applicable to the cases where tariff has been determined through a transparent process of bidding in accordance with the guidelines issued by the Central Government as per the provisions of section 63 of the Act.

(2) Subject to the provisions of the Act and the rules and policies made thereunder, any new generating station which comes up in future and proposes to supply electricity to a distribution licensee of the State shall be subjected to the norms prescribed under these regulations by the Commission, unless it proposes to supply electricity through a transparent process of bidding in accordance with the guidelines issued by the Central Government as per provisions of section 63 of the Act.

(3) Tariff determined by the Commission and the directions given in the tariff order made by the Commission shall be the quid pro quo and mutually inclusive. The tariff determined shall, within the period specified by it, be subject to the compliance of the directions to the satisfaction of the Commission and their noncompliance shall lead to such amendment, revocation, variations and alterations of the tariff, as may be ordered by the Commission.

(4) The tariff order shall, unless amended or revoked, continue to be in force for such period as may be specified in the tariff order. In the event of failure on the part of the generating

company to file the aggregate revenue requirement (ARR) under Part-V, the tariff determined by the Commission shall cease to operate, unless allowed to be continued for a further period with such variations, or modifications, as may be ordered by the Commission.

5. Determination of Generation Tariff.—(1) Existing Generating Stations Where the Commission has, at any time prior to the notification of these regulations, approved a power purchase agreement (PPA) or arrangement between a generating company and a beneficiary, or has adopted the tariff contained therein for supply of electricity from an existing generating station then the tariff for supply of electricity by the generating company to the distribution licensee shall be in accordance with such PPA or arrangement for such period as may be so approved or adopted by the Commission, to the extent of existing installed capacity\ as contained in the PPA; Provided that in relation to the existing generating stations, where the tariffs have not been determined by the Commission on account of insufficient data or any other reason, the Commission shall determine tariff after exercising prudence check in accordance with these regulations.

(2) *New Generating Station.*—Where the generating station has been declared under commercial operation after date of notification of these regulations, the tariff for supply of electricity by the generating company shall be decided in accordance with these regulations.

6. Multi Year Tariff (MYT) Framework.—(1) The Commission shall adopt multi year tariff framework for determination of tariff for each year of the control period.

(2) The multi year tariff framework shall be based on the following: —

- (a) **Business plan** (with plant-wise details) for the entire control period, which the applicant shall submit to the Commission for approval, prior to the beginning of the control period;
- (b) **Forecast of expected tariff for sale of power** which shall be submitted by the generating company (plant-wise) for each year of the control period, based on reasonable assumptions of the underlying financial and operational parameters, as submitted in the business plan;
- (c) **Trajectory for specific parameters**, stipulated by the Commission, where the performance of the applicant is sought to be improved through incentives and disincentives;
- (d) **Annual review of performance**, which will be conducted vis-à-vis the approved forecast.

7. Determination of Baseline.—(1) The baseline values (operating and cost parameters) for the control period shall be determined by the Commission, based on previously approved values, the latest audited accounts, estimate of the actuals for the relevant year, prudence check and other factors considered appropriate by the Commission.

(2) The Commission shall not revisit the performance targets even if the targets are fixed on the basis of un-audited accounts.

8. Capital Investment.— Subject to the provisions of the Act, and the rules and policies made thereunder, the Commission shall approve the capital investment plan of a generating company for the control period commensurate with generation capacity growth. The investment

plan shall also include a capitalisation schedule and financing plan for the planned investment. The Commission shall review the actual capital investment at the end of each year of the control period. Adjustment for the actual capital investment vis-à-vis approved capital investment shall be done at the end of the control period.

9. Performance Targets.— (1) The Commission shall set targets for each year of the control period for the items or parameters that are deemed to be “controllable” and which will include;-

- (a) **Capacity index;**
- (b) **Auxiliary energy consumption;**
- (c) **Transformation losses;**
- (d) **Operation and Maintenance Expenses** which includes employee expenses, repairs and maintenance expenses, administration and general expenses and other miscellaneous expenses viz. audit fees, rents, legal fees etc;
- (e) **Financing cost** which includes cost of debt including working capital (interest), cost of equity (return); and
- (f) **Depreciation.**

(2) The Commission will normally not revisit the performance targets, once determined even if the targets are fixed on the basis of un-audited accounts.

10. True Up.— (1) The true up across various controllable parameters shall be conducted as per principles stated below: —

- (a) any surplus and deficit on account of O&M expenses shall be to the account of the generating company and shall not be trued up in ARR; and
- (b) at the end of the control period –
 - i. the Commission shall review actual capital investment vis-à-vis approved capital investment.
 - ii. depreciation and financing cost, which includes cost of debt including working capital (interest), cost of equity (return) shall be trued up on the basis of actual/audited information and prudence check by the Commission.

(2) Notwithstanding anything contained in these regulations, the gains or losses in the controllable items of ARR on account of *force majeure* factors shall be passed on as an additional charge or rebate in ARR over such period as may be laid down in the order of the Commission.

11. Refund of Excess Amount.—If a generating company recovers the charges exceeding the tariff determined by the Commission, the excess amount shall be refunded to beneficiaries, which have paid such excess charges, alongwith interest for that period, which would be calculated considering the applicable bank rate.

PART-III

**PRINCIPLES FOR DETERMINATION OF HYDRO GENERATION
TARIFF**

12. Capital Cost of the Project.—(1) Subject to prudence check by the Commission, the actual expenditure incurred on completion of the project shall form the basis for determination of tariff. The tariff shall be determined based on the admitted capital expenditure actually incurred up to the date of commercial operation of the generating station and shall include capitalised initial spares subject to a ceiling norm of 1.5 % of the original project cost as on the cut off date:

Provided that where the power purchase agreement entered into between the generating company and the beneficiaries provides a ceiling of actual expenditure, the capital expenditure shall not exceed such ceiling for determination of tariff:

Provided further that the project cost already admitted by the Commission for the purpose of tariff fixation in previous years, shall be considered as the original project cost.

(2) For multi-unit projects, the capital cost of the project shall be broken up into stages and by distinct units forming part of the project. In case the stage-wise or unit-wise break up of the capital cost of the project is not available and in case of on-going projects, the common facilities shall be apportioned on the basis of the installed capacity of the units.

13. Additional Capitalisation.—(1) The Commission shall include, subject to prudence check, the following capital expenditure, incurred after the date of commercial operation of a project and upto the cut off date, to its original project cost, provided the same was part of the original scope of work of the project: —

- (a) deferred liabilities;
- (b) works deferred for execution;
- (c) procurement of initial capital spares in the original scope of work, subject to ceiling specified above;
- (d) liabilities to meet award of arbitration or for compliance of the order or decree of a court; and
- (e) on account of change of law:

Provided that original scope of work alongwith estimates of expenditure shall be submitted alongwith the application for determination of tariff: Provided further that a list of the deferred liabilities and works, deferred for execution, shall be submitted alongwith the application for determination of tariff after the date of commercial operation of the generating station.

(2) The following capital expenditure, actually incurred after the cut off date shall be admitted by the Commission, subject to prudence check, to the original project cost: —

- (a) deferred liabilities, related to works/ services within the original scope of work of the project;
- (b) liabilities to meet award of arbitration or for compliance of the order or decree of a court;

- (c) on account of change of law; and
- (d) any additional work/ service, which has become necessary for efficient and successful operation of the plant, but not included in the original project cost.

Note 1.- Any expenditure admitted on account of committed liabilities within the original scope of work and the expenditure deferred on techno-economic grounds but falling within the original scope of work shall be serviced in the normative debt equity ratio as specified in these regulations.

Note 2.- Any expenditure on replacement of old assets shall be considered, subject to prudence check by the Commission, after writing off the gross value of the original assets from the original capital cost.

Note 3.- Any expenditure admitted by the Commission for determination of tariff on account of new works not in the original scope of work shall be serviced in the normative debt-equity ratio as specified in these regulations.

Note 4.- Any expenditure admitted on renovation and modernization and life extension shall be serviced on normative debt-equity ratio specified in these regulations after writing off the original amount of the replaced assets from the original capital cost.

14. Sale of Infirm Power.— Any revenue earned by the generating company from sale of infirm power, shall be taken as reduction in capital cost and shall not be treated as revenue. The rate of infirm power shall be the same as the primary energy rate of the generating station.

15. Debt-Equity Ratio.—(1) Existing Stations: (a) For existing generating stations, the amount of loan capital shall be equal to the sum of the outstanding balance of all long term loans taken to finance the generating station, at the commencement of the financial year for which tariff is to be determined, as reflected in the tariff orders of the Commission.

- (b) The equity capital shall be taken as specified by the generating company, subject to prudence check by the Commission.
- (c) Any fresh infusion of capital in the existing generating stations shall be considered only after prior approval by the Commission, and would have a debt-equity ratio of 70:30.

(2) New Stations:

- (a) The normative debt-equity ratio shall be considered to be 70:30 for determination of tariff.
- (b) In case of a generating station where equity employed is more than 30%, the amount of equity for determination of tariff shall be limited to 30% and the balance amount shall be considered as the normative loan.
- (c) In case of a generating station where actual equity employed is less than 30%, the actual debt and equity shall be considered for determination of tariff.

(3) Renovation and Modernisation: Any approved capital expenditure incurred on renovation, modernisation, replacement or extension of life of existing generating assets, after the issue of these regulations, shall be considered to be financed at a normative debt-equity ratio of 70:30. In case the amount of equity is less than 30%, the actual debt-equity ratio shall be considered.

(4) The debt and equity amounts arrived at in accordance with sub-regulations (1), (2) and (3) shall be used for calculating interest on loan, return on equity, advance against depreciation and foreign exchange rate variation.

16. Interest and Finance Charges.— (1) Interest and finance charges on loan capital shall be computed on the outstanding loans, duly taking into account the schedule of repayment in accordance with the terms and conditions of relevant agreements of loan, bond or non-convertible debentures. Exception can be made for the existing or past loans which may have different terms as per the agreements already executed if the Commission is satisfied that the loan has been contracted for and applied to identifiable and approved projects.

(2) The interest rate on the amount of equity in excess of 30% treated as notional loan shall be the weighted average rate of the loans of the respective years and shall be further limited to the rate of return on equity specified in these regulations: Provided that all loans considered for this purpose shall be identified with the assets created:

Provided further that the interest and finance charges of re-negotiated loan agreements shall not be considered, if they result in higher charges:

Provided further that the interest and finance charges on works in progress shall be excluded and shall be considered as part of the capital cost:

Provided further that neither penal interest nor overdue interest shall be allowed for computation of tariff.

(3) In case any moratorium period is availed of in any loan, depreciation provided for in the tariff during the years of moratorium shall be treated, as notional repayment of loan during those years and interest on loan capital shall be calculated accordingly.

(4) The generating station shall make every effort to refinance the loan as long as it results in net benefit to the beneficiaries. The costs associated with such refinancing shall be borne by the beneficiaries and any benefit on account of refinancing of loan and interest on loan shall be passed on to the beneficiaries. Refinancing may also include restructuring of debt.

(5) In respect of foreign currency loans, variation in rupee liability due to foreign exchange rate variation, towards interest payment and loan repayment actually incurred, in the relevant year shall be admissible; provided it directly arises out of such foreign exchange rate variation and is not attributable to the generating company or its suppliers or contractors.

17. Working Capital.— The Commission shall calculate the working capital requirement for hydro electric power stations containing the following components: —

(a) Operation and Maintenance Expenses for one month;

(b) Maintenance spares equivalent to 40% of R&M expenses for one month;

- (c) receivables equivalent to two months of fixed and variable charges for sale of electricity calculated on the normative capacity index.

18. Interest on Working Capital.—Rate of interest on working capital shall be on normative basis and shall be equal to the short-term prime lending rate of the State Bank of India as on 1st April of the relevant year. The interest on working capital shall be payable on normative basis notwithstanding that the generating station has not taken working capital loan from any outside agency or has exceeded the working capital loan based on the normative figures.

19. Depreciation.—(1) Depreciation shall be calculated for each year of the control period, on the amount of original cost of the fixed assets: Provided that depreciation shall not be allowed on assets funded by any capital subsidy / grant.

(2) Depreciation for each year of the control period shall be determined based on the methodology as specified in these regulations alongwith the rates and other terms specified in Appendix-1 of these regulations.

(3) Depreciation shall be calculated annually, based on the straight line method, over the useful life of the asset. The base value for the purpose of depreciation shall be original cost of the asset.

(4) The residual value of assets shall be considered as 10% and depreciation shall be allowed upto a maximum of 90% of the original cost of the asset. Land is not a depreciable asset and its cost shall be excluded while computing 90% of the original cost of the asset. In the event of renovation and modernisation expenditure affecting the life of the asset, the depreciation shall be allowed upto a maximum of 90% of the cost of the asset within the enhanced life span of the asset.

(5) Depreciation shall be charged from the first year of operation of the asset. In case, the operation of the asset is for a part of the year, depreciation shall be charged on a pro rata basis.

(6) In addition to allowable depreciation, the generating company shall be entitled to advance against depreciation (AAD), computed in the manner given hereunder:—

AAD = Loan (raised for capital expenditure) repayment amount based on loan repayment tenure, subject to a ceiling of 1/10th of loan amount minus depreciation as calculated on the basis of these regulations:

Provided that advance against depreciation shall be permitted only if the cumulative repayment upto a particular year exceeds the cumulative depreciation upto that year:

Provided further that advance against depreciation in a year shall be restricted to the extent of difference between cumulative repayment and cumulative depreciation upto that year.

(7) On repayment of entire loan, the remaining depreciable value shall be spread over the balance useful life of the asset.

20. Return on Equity.—(1) Return on equity shall be computed on the equity determined in accordance with regulation 15 and shall be 14% per annum (post tax):

Provided that return on equity invested in work in progress shall be allowed from the date of commercial operation:

Provided further that equity invested in foreign currency shall be allowed a return upto the prescribed limit in the same currency and the payment on this account shall be made in Indian Rupees based on the exchange rate prevailing on the due date of billing.

(2) The premium raised by the generating company while issuing share capital and investment of internal resources created out of free reserve, if any, shall also be reckoned as equity for the purpose of computing return on equity, provided such premium amount and internal resources are actually utilized for meeting capital expenditure and forms part of the approved financial package. For the purposes of calculation of computation of return, the portion of free reserves utilized for meeting the capital expenditure shall be considered from the date the asset created is productively deployed in the generation business.

21. Corporate Income Tax.— (1) Income tax, if any, on the generation business of the generating company shall be treated as expense and shall be recoverable from its beneficiaries. However, tax on any income other than that through the generation business shall not be a pass through in tariff, and it shall be payable by the generating company itself.

(2) Any under-recoveries or over-recoveries of tax on income shall be adjusted every year on the basis of income-tax assessment, under the Income-Tax Act, 1961, as certified by the statutory auditors:

Provided that the generating station-wise profit before tax as estimated for a year in advance shall constitute the basis for distribution of the corporate tax liability to all the generating stations:

Provided further that the benefits of tax-holiday as applicable in accordance with the provisions of the Income Tax Act, 1961 shall be passed on to the beneficiaries:

Provided further that in the absence of any other equitable basis the credit for carry forward of losses and unabsorbed depreciation shall be given in the proportion as provided in the first proviso to these regulations:

Provided further that income tax allocated to the generating station shall be charged to the beneficiaries in the same proportion as annual fixed charges.

(3) The income tax actually payable or paid shall be included in the tariff computation. The actual assessment of income tax should take into account benefits of tax holiday, and the credit for carry forward of losses applicable in accordance with the provisions of the Income Tax Act, 1961 shall be passed on to the beneficiaries.

(4) Tax on income, if any, liable to be paid shall be limited to tax on return on the equity component of capital deployed. However, any tax liability on incentives and savings due to improved performance and Unscheduled Interchange (UI) earnings, if any, shall not be considered for passing on to the beneficiaries.

22. Recovery of Corporate Income Tax.—Recovery of income tax shall be done directly by the generating company from the beneficiaries without making any application before the Commission:

Provided that in case of any objections by the beneficiaries to the amounts claimed on account of income tax, the beneficiaries shall make the payments and may make an appropriate application before the Commission for its decision.

23. Operation and Maintenance (O&M) Expenses.—(1) Operation and Maintenance (O&M) expenses shall comprise of the following:—

- (a) salaries, wages, pension contribution and other employee costs;
- (b) administrative and general costs;
- (c) repairs and maintenance; and
- (d) other miscellaneous expenses including insurance costs, statutory levies and taxes (except corporate income tax).

(2) The O&M expenses including insurance, for the existing generating stations which have been in operation for 5 or more years, shall be derived on the basis of actual operation and maintenance expenses in the last five years based on the audited balance sheets, excluding abnormal operation and maintenance expenses, if any, after prudence check by the Commission.

(3) The average of such normalised O&M expenses after prudence check, for the last 5 years (n-5 to n-1, considering base year as nth year) shall be considered as O&M expenses for the (n-3)th year, which shall be escalated at the rate of 4% per annum to arrive at O&M expenses for the base year. The base O&M expenses shall be escalated further at the rate of 4% per annum to arrive at permissible O&M expenses for the relevant year of the control period.

(4) In case of the hydro electric generating stations, which have not been in existence for a period of five years, the O&M expenses shall be fixed at 1.5% of the capital cost as admitted by the Commission and shall be escalated at the rate of 4% per annum from the subsequent year to arrive at O&M expenses for the base year. The base O&M expenses shall be further escalated at the rate of 4% per annum to arrive at permissible O&M expenses for the relevant year.

(5) In case of the generating stations declared under commercial operation on or after date of notification of these regulations, the base O&M expenses shall be fixed at 1.5% of the actual capital cost as admitted by the Commission, in the year of commissioning and shall be subject to an annual escalation of 4% per annum for the subsequent years.

PART-IV

HYDRO ELECTRIC POWER GENERATING STATIONS

24. Operational Norms.—(1) The values for different operational norms for the existing generating plants shall be decided, considering the vintage and current operations of these plants, based on the submissions made by the applicant, subject to prudence checks by the Commission.

(2) The Commission may modify these norms of operations after considering the capital investments approved for any renovation and modernisation activities in these plants.

(3) The norms of operation for generating stations shall be as under: —

(a) Normative Capacity Index for recovery of full capacity charges:

During first year of commercial operation of the generating station	Purely run-of-river power stations	85%
	Storage type and run-of-river power stations with pondage	80%
After first year of commercial operation of the generating station	Purely run-of-river power stations	90%
	Storage type and run-of-river power stations with pondage	85%

Note 1.— There shall be *pro rata* recovery of capacity charges in case the generating station achieves capacity index below the laid down normative levels. At zero capacity index no capacity charges shall be payable to the generating station.

(b) Auxiliary Energy Consumption:

Surface hydro electric power generating station	With rotating exciters mounted on the generator shaft	0.2%
	With static excitation system	0.5 %
Underground hydro electric power generating station	With rotating exciters mounted on the generator shaft	0.4 %
	With static excitation system	0.7 %

(c) Transformation Losses:

From generation voltage to transmission voltage – 0.5 % of energy generated.

- (4) The Commission may lay down relaxed operational norms including the norms of capacity index and auxiliary consumption contained in these regulations for a generating station, and these relaxed norms shall be applicable for determination of tariff for such generating station during the control period.
- (5) The norms of operation under these regulations shall be ceiling norms and shall not preclude generating companies and the beneficiaries from agreeing to improve norms of the operation. If PPA stipulates better norms of operation then such norms provided in the PPA shall be considered.
- (6) In case of renovation and modernisation, de-rating or re-rating of the generating station, norms of operation shall be reviewed and modified accordingly.

25. Computation of Annual Charges.— (1) The tariff for sale of electricity from generating station shall comprise of recovery of annual capacity (fixed) charge and primary energy (variable) charges.

(2) Capacity Charges: The capacity charges shall be computed in accordance with the following formula: —

$$\text{Capacity Charges} = (\text{Annual Fixed Charge} - \text{Primary Energy Charges})$$

Note.— Recovery through primary energy charges shall not be more than the annual fixed charge.

(3) The annual fixed charge of generating station shall include the following elements:

- (a) operation and maintenance expenses;
- (b) depreciation;

- (c) interest on loans;
- (d) interest on working capital; and
- (e) return on equity.
- (f) Income, other than that through charges permitted by the Commission, and involving utilization of the applicant's assets may be suitably accounted for by the Commission while determining the tariff.

26. Primary and Secondary Energy Charges.— (1) Primary energy charge shall be worked out on the basis of paise per kWh rate on ex-bus energy scheduled to be sent out from the hydro electric power generating station after adjusting for free power delivered to the State.

(2) Rate of primary energy for all generating stations, except for pumped storage generating stations, shall be equal to the lowest variable charges of the central sector thermal power generating station of the northern region. The primary energy charge shall be computed based on the primary energy rate and saleable energy of the station:

Provided that in case the primary energy charge recoverable by applying the above primary energy rate exceeds the annual fixed charge of a generating station, the primary energy rate for such generating station shall be calculated by the following formula: —

$$\text{Primary Energy Rate} = \frac{\text{Annual Fixed Charge}}{\text{Saleable Primary Energy}}$$

$$\text{Primary Energy Charge} = \text{Saleable Primary Energy} \times \text{Primary Energy Rate}$$

(3) Secondary Energy Rate shall be equal to Primary Energy Rate;

$$\text{Secondary Energy Charge} = \text{Saleable Secondary Energy} \times \text{Secondary Energy Rate}.$$

27. Incentive.—(1) Incentive shall be payable in case of all the generating stations, including in case of new generating stations in the first year of operation, when the capacity index (CI) exceeds 90% for purely run-of-river power generating stations and 85% for run-of-river power station with pondage or storage type power generating stations and incentive shall accrue up to a maximum capacity index of 100%.

(2) Incentive shall be payable to the generating company in accordance with the following formula: —

$$\text{Incentive} = 0.65 \times \text{Annual Fixed Charge} \times (\text{CIA} - \text{CIN})/100$$

(If incentive is negative, it shall be set to zero.)

Where, CIA is the Capacity Index achieved and CIN is the normative capacity index whose values are 90% for purely run of the river hydro stations and 85% for pondage/storage type hydro generating stations.

(3) The incentives on account of capacity index and payment for secondary energy shall be payable on monthly basis, subject to cumulative adjustment in each month of the financial year, separately in respect of each item, and final adjustment shall be made at the end of the financial year.

(4) The total incentive payment calculated on annual basis shall be shared by the beneficiaries based on the allocated capacity.

28. Incentive for Completion of Hydro Power Generating Stations ahead of Schedule.—In case of commissioning of generating station or part thereof ahead of schedule, as set out in the first approval of the State Government or the techno-economic clearance of the Authority, as applicable, the generating station shall become eligible for incentive for an amount equal to pro rata reduction in interest during construction, achieved on commissioning ahead of the schedule. The incentive shall be recovered through tariff in twelve equal monthly installments during the first year of operation of the generating station. In case of delay in commissioning as set out in the first approval of the State Government or the techno-economic clearance of the Authority, as applicable, interest during construction for the period of delay shall not be allowed to be capitalised for determination of tariff, unless the delay is on account of natural calamities or geological surprises.

29. Deemed Generation.—(1) In case of reduced generation due to the reasons beyond the control of the generating company or on account of non-availability of the transmission licensee's transmission lines or on receipt of backing down instructions from the State Load Despatch Centre resulting in spillage of water, the energy charges on account of such spillage shall be payable to the generating company. Apportionment of energy charges for such spillage among the beneficiaries shall be in proportion of their shares in saleable capacity of the generating station.

(2) Energy charges on the above account shall not be admissible if the energy generated during the year is equal to or more than the design energy.

30. Unscheduled Interchange (UI) Charges.—The generating station may be entitled to receive or shall be required to bear, as the case may be, the charges for deviations between energy sent-out corresponding to scheduled generation and actual energy sent-out shall be accounted for through Unscheduled Interchange (UI) charges, as per the rate approved by the Central Commission/ State Commission.

31. Late Payment Surcharge.— In case the payment of bills of capacity charges and energy charges by the beneficiary is delayed beyond a period of one month from the date of billing, the generating company may levy a late payment surcharge at the rate of 1.25% per month.

32. Rebate.—For payment of bills of capacity charges and energy charges through a letter of credit on presentation, a rebate of 2% shall be allowed. If the payment is made by any other mode but within a period of one month of presentation of bills by the generating company, a rebate of 1% shall be allowed.

33. Scheduling.—(1) Read with the provisions of the State Grid Code/the Indian Electricity Grid Code, the methodology of scheduling and calculating capacity index shall be provided in the succeeding sub-regulations.

(2) The generator shall make an advance declaration of capacity of its generating station. The declaration shall be for that capacity which can be actually made available for a period of time not less than 3 hours within a 24 hours period for pondage and storage type of stations and for the entire day for purely run-of-river type stations.

(3) The generator shall intimate the declared capacity (MW), for the next day, either as one figure for the whole day or different figures for different periods of the day alongwith maximum available capacity (MW) and total energy (MWh) ex-bus to the State Load Despatch

Centre (SLDC). The declaration should also include limitation on generation during specific time periods, if any, on account of restriction(s) on water use due to irrigation, drinking water, industrial, environmental considerations etc.

(4) While making or revising his declaration of capability, the generator shall ensure that the declared capacity during peak hours is not less than that during other hours. However, exception to this rule shall be allowed in case of tripping/resynchronisation of units as a result of forced outage of units.

(5) Generation scheduling shall be done in accordance with the operating procedure, as stipulated in the State Grid Code/the Indian Electricity Grid Code.

(6) Based on the declaration of the generator, the State Load Despatch Centre (SLDC) shall communicate their shares to the beneficiaries out of which they shall give their requisitions.

(7) Based on the requisitions given by the beneficiaries and taking into account technical limitations on varying the generation and also taking into account transmission system constraints, if any, the State Load Despatch Centre (SLDC) shall prepare the economically optimal generation schedules and drawal schedules and communicate the same to the generator and the beneficiaries. The State Load Despatch Centre (SLDC) also formulate the procedure for meeting contingencies both in the long run and in the short run (daily scheduling).

(8) The scheduled generation and actual generation shall be ex-bus at the generating station. For beneficiaries, the scheduled and actual net drawals shall be at their respective receiving points.

(9) For calculating the net drawal schedules of beneficiaries, the transmission losses shall be apportioned to their drawal schedule for the time being. However, a refinement may be specified by the Commission in future, depending upon the preparedness of the State Load Despatch Centre (SLDC).

(10) In case of forced outage of a unit, the State Load Despatch Centre (SLDC) shall revise the schedules on the basis of revised declared capability. The revised declared capability and the revised schedules shall become effective from the 4th time block, counting the time block in which the revision is advised by the generator to be the first one.

(11) In the event of bottleneck in evacuation of power due to any constraint, outage, failure or limitation in the transmission system, associated switchyard and substations owned by the State Transmission Utility (as certified by the State Load Despatch Centre) necessitating reduction in generation, the State Load Despatch Centre (SLDC) shall revise the schedules which shall become effective from the 4th time block, counting the time block in which the bottleneck in evacuation of power has taken place to be the first one. Also, during the first, second and third time blocks of such an event, the scheduled generation of the generating station shall be deemed to have been revised to be equal to actual generation, and the scheduled drawals of the beneficiaries shall be deemed to have been revised to be equal to their actual drawals.

(12) In case of any grid disturbance, scheduled generation of all the generating stations and scheduled drawal of all the beneficiaries shall be deemed to have been revised to be equal to their actual generation/drawal for all the time blocks affected by the grid disturbance. Certification of Grid disturbance and its duration shall be done by the State Load Despatch Centre (SLDC).

(13) Revision of declared capability by the generator(s) and requisition by beneficiary (ies) for the remaining period of the day shall also be permitted with advance notice. Revised schedules/declared capability in such cases shall become effective from the 6th time block, counting the time block in which the request for revision has been received in the State Load Despatch Centre (SLDC) to be the first one.

(14) If, at any point of time, the State Load Despatch Centre (SLDC) observes that there is need for revision of the schedules in the interest of better system operation, it may do so on its own and in such cases, the revised schedules shall become effective from the 4th time block, counting the time block in which the revised schedule is issued by the State Load Despatch Centre (SLDC) to be the first one.

(15) Generation schedules and drawal schedules issued/revised by the State Load Despatch Centre (SLDC) shall become effective from designated time block irrespective of communication success.

(16) For any revision of scheduled generation, including post facto deemed revision, there shall be a corresponding revision of scheduled drawals of the beneficiaries.

(17) A procedure for recording the communication regarding changes to schedules duly taking into account the time factor shall be evolved by the State Transmission Utility.

(18) Purely run-of-river power stations: Since variation of generation in such stations may lead to spillage, these shall be treated as must run stations. The maximum available capacity, duly taking into account the over load capability, must be equal to or greater than that required to make full use of the available water.

(19) Run-of-river power station with pondage and storage type power stations: These hydro stations are designed to operate during peak hours to meet system peak demand. Maximum available capacity of the station declared for the day shall be equal to the installed capacity including overload capability, minus auxiliary consumption and transformation losses, corrected for the reservoir level. The State Load Despatch Centre (SLDC) shall ensure that generation schedules of such type of stations are prepared and the stations dispatched for optimum utilization of available hydro energy except in the event of specific system requirements/constraints.

34. *Demonstration of Declared Capability.*—(1) The generating company may be required to demonstrate the declared capacity of its generating station as and when asked by the State Load Despatch Centre (SLDC). In the event of the generating company failing to demonstrate the declared capacity, the capacity charges due to the generating company shall be reduced as a measure of penalty, the quantum of which shall be determined by the Commission.

(2) The quantum of penalty for the first mis-declaration for any duration or block in a day shall be the charges corresponding to two days fixed charges. For the second mis-declaration the penalty shall be equivalent to fixed charges for four days and for subsequent mis-declarations, the penalty shall be multiplied in the geometrical progression.

(3) The operating log books of the generating station shall be available for review by the State Load Despatch Centre (SLDC). These books shall keep record of machine operation and maintenance, reservoir level and spillway gate operation.

35. Metering and Accounting.— Metering arrangements, including installation, testing and operation and maintenance of meters and collection, transportation and processing of data required for accounting of energy exchanges and average frequency on 15 minute time block basis shall be provided by the State Transmission Utility/State Load Despatch Centre. All concerned entities (in whose premises the special energy meters are installed), shall fully cooperate with the State Transmission Utility/State Load Despatch Centre and extend the necessary assistance by taking weekly meter readings and transmitting them to the State Load Despatch Centre. Processed data of the meters along with data relating to declared capacity and schedules etc. shall be supplied by the State Load Despatch Centre to State Transmission Utility, which shall issue the state accounts for energy on monthly basis as well as Unscheduled Interchange (UI) charges on weekly basis. UI accounting procedures shall be governed by the orders of the Commission.

36. Billing and Payment of Capacity charges.—Billing and payment of capacity charges shall be done on a monthly basis in the following manner:—

- (1) Each beneficiary shall pay the capacity charges in proportion to its percentage share in total saleable capacity of the generating station. Saleable capacity shall mean total capacity minus free capacity to the State.
- (2) The beneficiaries shall have full freedom for negotiating any transaction for utilisation of their capacity shares. In such cases, the beneficiary having allocation in the capacity of the generating station shall be liable for full payment of capacity charges and energy charges (including that for sale of power under the transaction negotiated by him) corresponding to his total allocation and schedule respectively.
- (3) If any capacity remains un-requisitioned during day-to-day operation, the State Load Despatch Centre shall advise all beneficiaries in the state so that such capacity may be requisitioned through bilateral arrangements either with the concerned generating company or the concerned beneficiaries under intimation to the State Load Despatch Centre. The information regarding un-requisitioned capacity shall also be made available by the State Load Despatch Centre through its website.
- (4) The capacity charges shall be paid by the beneficiaries including those outside the state to the generating company every month in accordance with the following formulas and in proportion to their respective shares in the concerned generating station: —

$ACC1 = AFC - (SPE1 + DE \text{ 2nd to 12th months}) * \text{Primary Energy Rate}$

$ACC2 = AFC - (SPE2 + DE \text{ 3rd to 12th months}) * \text{Primary Energy Rate}$

$ACC3 = AFC - (SPE3 + DE \text{ 4th to 12th months}) * \text{Primary Energy Rate}$

$ACC4 = AFC - (SPE4 + DE \text{ 5th to 12th months}) * \text{Primary Energy Rate}$

$ACC5 = AFC - (SPE5 + DE \text{ 6th to 12th months}) * \text{Primary Energy Rate}$

$ACC6 = AFC - (SPE6 + DE \text{ 7th to 12th months}) * \text{Primary Energy Rate}$

$ACC7 = AFC - (SPE7 + DE \text{ 8th to 12th months}) * \text{Primary Energy Rate}$

$ACC8 = AFC - (SPE8 + DE \text{ 9th to 12th months}) * \text{Primary Energy Rate}$

$ACC9 = AFC - (SPE9 + DE \text{ 10th to 12th months}) * \text{Primary Energy Rate}$

$ACC10 = AFC - (SPE10 + DE \text{ 11th to 12th months}) * \text{Primary Energy Rate}$

$ACC11 = AFC - (SPE11 + DE \text{ 12th month}) * \text{Primary Energy Rate}$

$ACC12 = (AFC - SPE12) * \text{Primary Energy Rate}$

Where -

AFC = Annual Fixed Charges

ACC1, ACC2, ACC3, ACC4, ACC5, ACC6, ACC7, ACC8, ACC9, ACC10, ACC11 and ACC12 are the amount of Annual Capacity Charge for the cumulative period up to the end of 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, and 12th months respectively.

SPE1, SPE2, SPE3, SPE4, ... SPE12 are the ex-bus scheduled primary energy values up to 1st, 2nd, 3rd, ... 12th months of the year respectively.

$$CC1 * 1 = ACC_1 * \frac{DE1}{DE}$$

$$CC2 * 2 = ACC_2 * \frac{DE2}{DE}$$

$$CC3 * 3 = ACC_3 * \frac{DE3}{DE}$$

$$CC4 * 4 = ACC_4 * \frac{DE4}{DE}$$

$$CC5 * 5 = ACC_5 * \frac{DE5}{DE}$$

$$CC6 * 6 = ACC_6 * \frac{DE6}{DE}$$

$$CC7 * 7 = ACC_7 * \frac{DE7}{DE}$$

$$CC6 * 8 = ACC_8 * \frac{DE8}{DE}$$

$$CC6 * 9 = ACC_9 * \frac{DE9}{DE}$$

$$CC6 * 10 = ACC_{10} * \frac{DE10}{DE}$$

$$CC6 * 11 = ACC_{11} * \frac{DE11}{DE}$$

$$CC6 * 12 = ACC_{12} * \frac{DE12}{DE}$$

Where –

CC1, CC2, CC3, ..., CC12 is the monthly capacity charge up to 1st, 2nd, 3rd, ..., 12th months of the year respectively.

DE = Annual Design Energy

DE1, DE2, DE3, ..., DE12 are the ex-bus design energy values up to 1st, 2nd, 3rd, ..., 12th months of the year respectively.

Total capacity charges payable to the generator for the –

1st month = (CC1)

2nd month = (CC2 - CC1)

3rd month = (CC3 - CC2)

4th month = (CC4 - CC3)

5th month = (CC5 - CC4)

6th month = (CC6 - CC5)

7th month = (CC7 - CC6)

8th month = (CC8 - CC7)

9th month = (CC9 - CC8)

10th month = (CC10 - CC9)

11th month = (CC11 - CC10)

12th month = (CC12 - CC11)

and, each beneficiary having firm allocation in capacity of the generating station shall pay for the –

1st month = $[CC1 * WB1] / 100$

2nd month = $[CC2 * WB2 - CC1 * WB1] / 100$

3rd month = $[CC3 * WB3 - CC2 * WB2] / 100$

4th month = $[CC4 * WB4 - CC3 * WB3] / 100$

5th month = $[CC5 * WB5 - CC4 * WB4] / 100$

6th month = $[CC6 * WB6 - CC5 * WB5] / 100$

7th month = $[CC7 * WB7 - CC6 * WB6] / 100$

8th month = $[CC8 * WB8 - CC7 * WB7] / 100$

9th month = $[CC9 * WB9 - CC8 * WB8] / 100$

10th month = $[CC10 * WB10 - CC9 * WB9] / 100$

11th month = $[CC11 * WB11 - CC10 * WB10] / 100$

12th month = $[CC12 * WB12 - CC11 * WB11] / 100$

Where –

WB1, WB2, WB3, WB4, WB5, WB6, WB7, WB8, WB9, WB10, WB11 and WB12 are the weighted average of percentage allocated capacity share of the beneficiary during the cumulative period up to 1st, 2nd 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th and 12th month respectively.

37. Safety Standards.—The generating company shall develop a safety manual and follow procedures to maintain minimum safety standards during construction, operation, etc. in line with the provisions of section 53 of the Act.

PART-V

MULTI YEAR TARIFF FILING PROCEDURE

38. Multi-Year Filings for the Control Period.—(1) The multi year tariff filing shall be in such form and in such manner as may be specified by the Commission in these regulations and also as per the provisions of the conduct of business regulations.

(2) The applicant shall also submit the multi year tariff filing in electronic format to the Commission.

39. Beginning of the Control Period - Business Plan Filings.—The generating company shall file for the Commission's approval; on 1st April of the year preceding the first year of the control period or any other date as may be directed by the Commission, a business plan approved by its Board of Directors. The business plan shall be for the entire control period and shall, inter alia, contain –

- (a) *Capital Investment Plan.*— This shall include details of the investments planned by the generating company, alongwith the corresponding capitalisation schedule and financing plan. This plan shall be commensurate with capacity enhancement and proposed efficiency improvements for various plants of the company;
- (b) *Capital Structure.*— The generating company shall submit plant-wise details of the capital structure and cost of financing (interest on debt and return on equity), after considering the existing market conditions, terms of the existing loan agreements, risks associated in generation business and creditworthiness;
- (c) *Operation and Maintenance (O&M) expenses.*— This shall include the costs estimated for the base year, the actual expenses incurred in the previous two years and the projected values for each year of the control period based on the proposed norms for O&M cost, including indexation and other appropriate mechanism;
- (d) *Depreciation.*— This shall include details of depreciation based on the fair life of the asset and capitalisation schedules for each year of the control period;
- (e) *Performance Targets.*—A set of targets proposed for other controllable items such as capacity index, auxiliary consumption, and transformation loss. The targets shall be consistent with the capital investment plan proposed by the generating company;
- (f) *Other Information.*—This shall include any other details considered appropriate by the generating company for consideration during determination of tariff.

40. Review at the end of the Control Period.—(1) Towards the end of the control period, the Commission shall review if the implementation of the principles laid down in these regulations has achieved their intended objectives. While doing this, the Commission shall take into account, among other things, the industry structure, sector requirements, consumer and other stakeholder expectations and the applicant's requirements at that point in time. Depending on the requirements of the sector to meet the objects of the Act, the Commission may revise the principles for the second control period.

(2) The end of the first control period shall be the beginning of the second control period and the generating company shall follow the same procedure, unless required otherwise by the Commission. The Commission shall analyse the performance of the generating company with respect to the targets set out at the beginning of the first control period and based on the actual performance, expected efficiency improvements and other factors prevalent, determine the initial values for the next control period.

41. Disposal of Application.—(1) The Commission shall process the filings made by the generating company in accordance with these regulations and the conduct of business regulations.

(2) Based on the generating company's filings, objections/ suggestions from public and other stakeholders, the Commission may, within 120 days of the receipt of the application, complete in all respects, and after considering all suggestions and objections from public and other stakeholders,—

- (a) issue a tariff order with such modifications and/or such conditions, as may be deemed just and appropriate containing, inter alia targets for controllable items and the generation tariffs for each year of the control period; or
- (b) reject the application for reasons to be recorded in writing if such application is not in accordance with the provisions of the Act and the rules and regulations made thereunder or the provisions of any other law for the time being in force.

42. Periodic Reviews.—(1) To ensure smooth implementation of the multi year tariff (MYT) framework, the Commission may undertake periodic reviews of generating company's performance during the control period, to address any practical issues, concerns or unexpected outcomes that may arise.

(2) The generating company shall submit information as part of annual review on actual performance vis-à-vis the targets approved by the Commission at the beginning of the control period. This shall include annual statements of its performance and accounts including the latest available audited/actual accounts, norms achieved and the tariff worked out in accordance with these regulations.

(3) The Commission may also direct any modifications to the forecast of the generating company for the remainder of the control period, with detailed reasons for the same.

43. Publication.—The generating company shall publish the tariff approved by the Commission in the newspapers, having circulation in the area of supply, as the Commission may direct. The publication shall, besides such other things as the Commission may require, include a general description of the tariff changes.

PART-VI

MISCELLANEOUS

44. Issue of Orders and Practice Directions.—(1) Subject to the provision of the Act and these regulations, the Commission may, from time to time, issue orders and practice directions, prescribe formats in regard to the implementation of these regulations and procedure to be followed

on various matters, which the Commission has been empowered by these regulations to direct, and matters incidental or ancillary thereto.

(2) Notwithstanding anything contained in these regulations, the Commission shall have the authority, either suo motu or on a petition filed by any interested or affected person, to determine the tariff of any applicant.

(3) Notwithstanding anything to the contrary contained in the HPERC (Approval of Hydro Electric Projects in the State of HP) Directions, 2005, issued by the Commission, these regulations will have the overriding effect.

45. Powers to remove difficulties.—If any difficulty arises in giving effect to any of the provisions of these regulations, the Commission may, by a general or special order, not being inconsistent with the provisions of these regulations or the Act, do or undertake to do things or direct the generating company to do or undertake such things which appear to be necessary or expedient for the purpose of removing the difficulties.

46. Power of Relaxation.— The Commission may, in public interest and for reasons to be recorded in writing, relax any of the provision of these regulations.

47. Interpretation.—All issues arising in relation to the interpretation of these regulations shall be determined by the Commission and the decision of the Commission on such issues shall be final.

48. Saving of Inherent Powers of the Commission.—Nothing contained in these regulations shall limit or otherwise affect the inherent powers of the Commission from adopting a procedure, which is at variance with any of the provisions of these regulations, if the Commission, in view of the special circumstances of the matter or class of matters and for reasons to be recorded in writing, deems it necessary or expedient to depart from the procedure specified in these regulations.

49. Enquiry and Investigation.—All enquiries, investigations and adjudications under these regulations shall be done by the Commission through the proceedings in accordance with the provisions of the conduct of business regulations.

50. Power to Amend.—The Commission, for reasons to be recorded in writing, may, at any time amend, vary, alter or modify any of the provisions of these regulations.

By order,
Sd/-
Secretary.

Appendix 1: Depreciation Schedule (see regulation 19(2))

Sl No.	Asset Class	Useful Life (Years)	Rate (%)
1.	Land owned under full the	Infiity	0
2.	Land the under lease		
(A)	For investment in land	Period of lease or the period remaining unexpired on the assignment of the lease	0
(B)	For cost of clearing site	Period of lease remaining unexpired at the date of clearing the site	0
3	Assets Purchased New		
(A)	Plant and machinery in generating stations including plant foundations		
(i)	Hydro-electric	35	2.57
(ii)	Steam-electric NHRS & Waste Heat Recovery Boilers / Plants	25	3.60
(iii)	Diesel electric & gas plant	15	6.00
(B)	Cooling towers and circulating water systems	25	3.60
(C)	Hydraulic works forming part of hydroelectric system including:		
(i)	Dams, spillways weirs, canals, reinforced concrete flumes & siphons	50	1.80
(ii)	Reinforced concrete pipelines and surge tanks, steel pipelines, sluice gates, steel surge (tanks) hydraulic control valves and other hydraulic works	35	2.57
Sl No.	Asset Class	Useful Life (Years)	Rate (%)
(D)	Buildings and civil engineering works of a permanent character, not mentioned above :		
(i)	Offices & showrooms	50	1.80
(ii)	Containing thermo-electric generating plant	25	3.60
(iii)	Containing hydro-electric generating plant	35	2.57
(iv)	Temporary erection such as wooden tructures	5	18.00
(v)	Roads other than kutchha roads	50	1.80
(vi)	Others	50	1.80
(E)	Transformers, transformer (kiosk) sub-station equipment & other fixed apparatus (including plant foundations)		
(i)	Transformers (including foundations) aving a rating of 100 kilo volt amperes and over	25	3.60
(ii)	Others	25	3.60
(F)	Switchgear, including cable connections	25	3.60
(G)	Lightning arrestors:		

Sl No	Asset Class	Useful Life (Years)	Rate (%)
(i)	Station type	25	3.60
(ii)	Pole type	15	6.00
(iii)	Synchronous condenser	35	2.57
(H)	Batteries	5	18.00
(I)	Underground cable including joint boxes and disconnected boxes	35	2.57
(J)	Cable duct system	50	1.80
(K)	Overhead lines including supports:		
(i)	Lines on fabricated steel operating at nominal voltages higher than 66 kV	35	2.57
(ii)	Lines on steel supports operating at nominal voltages higher than 13.2 kV but not exceeding 66 kV	25	3.60
(iii)	Lines on steel or reinforced concrete supports	25	3.60
(iv)	Lines on treated wood supports	25	3.60
(L)	Meters	15	6.00
(M)	Self propelled vehicles	5	18.00
(N)	Air conditioning plants :		
(i)	Static	15	6.00
(ii)	Portable	5	18.00
(O)			
(i)	Office furniture and fittings	15	6.00
(ii)	Office equipments	15	6.00
(iii)	Internal wirings including fittings and apparatus	15	6.00
(iv)	Street Light fittings	15	6.00
(P)	Apparatus let on hire:		
(i)	Other than motors	5	18.00
(ii)	Motors	15	6.00
(Q)	Communication equipment		
(i)	Radio and higher frequency carrier systems	15	6.00
(ii)	Telephone lines and telephones	15	6.00
(R)	Assets purchased in second hand and assets not otherwise provided for in the schedule	such reasonable period as the Commission determines in each case having regard to the nature, age and conditions of assets at the time of its acquisition by the owner	

HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION SHIMLA**NOTIFICATION***Shimla, the 10th October, 2007*

No.HPERC/MYT/476 (2).—In exercise of powers conferred by clauses (g), (zd), (ze) and (zf) of sub section (2) of section 181 read with Sections 32, 61, 62 and 86, of the Electricity Act 2003 (36 of 2003) and all powers enabling it in that behalf, the Himachal Pradesh Electricity Regulatory Commission, after previous publication, hereby makes the following regulations namely: -

REGULATIONS**PART-I****PRELIMINARY**

1. Short Title and Commencement: (1) These regulations shall be called the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Transmission Tariff) Regulations, 2007.

(2) These regulations shall come into force from the date of their publication in the Rajpatra Himachal Pradesh.

2. Scope and Extent of Application: (1) These regulations shall be applicable where the capital cost based tariff is determined by the Commission.

(2) Where tariff has been determined through the transparent process of bidding in accordance with the guidelines issued by the Central Government, the Commission shall adopt such tariff in accordance with the provisions of the Act.

(3) These regulations shall extend to the whole of the State of Himachal Pradesh.

3. Definitions and interpretation.— (1) In these regulations, unless the context otherwise requires, -

(a) “**Act**” means the Electricity Act, 2003 (36 of 2003);

(b) “**Aggregate Revenue Requirement**” or “**ARR**” means the costs pertaining to the licensed business which are permitted, in accordance with these regulations, to be recovered from the tariffs and charges determined by the Commission;

(c) “**Allotted Transmission Capacity**” means and includes the power transfer in MW between the specified point(s) of injection and point(s) of drawal allowed to a long-term customer on the intra-State transmission system under the normal circumstances and allotted transmission capacity to a long-term transmission customer shall be sum of the generating capacities allocated to the long-term transmission customer from the State generating stations and inter-State generating stations and the expression "allotment of capacity" shall be construed accordingly;

- (d) **“Allocation Statement”** means for each financial year, a statement in respect of each of the businesses (transmission and SLDC business) of the licensee, showing the amounts of any revenue, cost, asset, liability, reserve or provision etc, which has been either, -
- (i) determined by apportionment or allocation between different businesses of the licensee including the licensed business, together with a description of the basis of the apportionment or allocation; or
 - (ii) charged from or to each such other business together with a description of the basis of that charge;
- (e) **“Appendix”** means the appendix of these regulations;
- (f) **“Applicant”** means a transmission licensee who has made an application for determination of transmission charge in accordance with these regulations and includes a transmission licensee whose tariff is the subject of a review by the Commission;
- (g) **“Availability”** in relation to a transmission system for a given period means the time in hours during that period in which the transmission system is capable to transmit electricity at its rated voltage and shall be expressed in percentage of total hours in the given period;
- (h) **“Base Year”** means the financial year immediately preceding first year of the control period and used for the purposes of these regulations;
- (i) **“Beneficiary”** means both long term transmission customers and long term open access customers. A distribution licensee shall necessarily be a long term transmission customer for which he will be required to enter into a transmission services agreement (TSA) with the transmission licensee;
- (j) **“CERC”** means the Central Electricity Regulatory Commission;
- (k) **“Commission”** means the Himachal Pradesh Electricity Regulatory Commission;
- (l) **“Conduct of Business Regulations”** means the Himachal Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 2005;
- (m) **“Control Period”** means a multi-year period fixed, by the Commission, from time to time, usually 5 years for which the principles of determination of revenue requirement and tariff will be fixed. However, the first control period shall be of the duration of 3 years;
- (n) **“Date of Commercial Operation”** (COD) means the date of charging the transmission system or part thereof to its rated voltage level, which shall be certified by the SLDC;
- (o) **“Distribution Licensee”** means a licensee authorized to operate and maintain a distribution system for supplying electricity to the consumers in his area of supply;

- (p) **“Financial Year”** means a period commencing on 1st April of a calendar year and ending on 31st March of the subsequent calendar year;
- (q) **“Licence”** means a licence granted by the Commission under Section 14 of the Act;
- (r) **“Licensed Business”** means the functions and activities, which the licensee is required to undertake in terms of the licence granted by the Commission or as a deemed licensee under the Act;
- (s) **“Licensee”** means a person who has been granted a licence and shall include a deemed licensee;
- (t) **“Long Term Transmission Customer”** means a person availing or intending to avail access to the intra-State transmission system for a period of twenty five years or more;
- (u) **“Non-Tariff Income”** means income relating to the licensed business other than from tariff (intra-State transmission of electricity), and excluding any income from other business;
- (v) **“Other Business”** means any business of the transmission licensee other than the licensed business;
- (w) **“Rated Voltage”** means the voltage at which the transmission system is designed to operate or such lower voltage at which the line is charged, for the time being, in consultation with long-term transmission customers;
- (x) **“State Load Despatch Centre”** or “SLDC” means the centre established by the State Government for the purposes of exercising the powers and discharging the functions under section 31 of the Act;
- (y) **“State”** means the State of Himachal Pradesh;
- (z) **“Transmission Business”** means the authorised business of a transmission licensee to transmit electricity, whether for its own account or for that of any other person, through any system owned and/ or operated by such licensee;
- (aa) **“Transmission Licensee”** means the entity, which has been granted a transmission licence or is a deemed licensee under the first, second, third or fifth provisos to section 14 of the Act;
- (bb) **“Transmission Service Agreement”** means and includes the agreement, contract, memorandum of understanding, or any such other covenants, entered into between the transmission licensee and the beneficiaries;
- (cc) **“Transmission System”** means the system consisting mainly of extra high voltage electric lines having design voltage of above 33 kV, owned or controlled by the transmission licensee, and used for the purposes of the conveyance of electricity between the switchyards of two generating sets or from the switchyard of a generating set to a substation, or between substations, or to or from any external interconnection and includes all bays/equipment upto the interconnection with the distribution system,

and any plant, apparatus and meters owned or used in connection with the transmission of electricity, but shall not include any part of a distribution system;

- (dd) **“User”** means the distribution licensee or open access customer, as the case may be, who uses the intra-State transmission network for the purpose of selling/procuring electricity.
- (2) The words and expressions used respectively and not defined in these regulations but defined in the Act shall have the meanings respectively assigned to them in the Act.

PART-II

GUIDING PRINCIPLES

4. General Approach: (1) Subject to the provisions of the Act and the rules and policies made thereunder, these regulations shall be applicable to all cases of determination of transmission tariff under section 62 of the Act, but shall, however, not apply to the cases where tariff has been determined through a transparent process of bidding in accordance with the guidelines issued by the Central Government as per the provisions of section 63 of the Act.

(2) In accordance with the principles laid in these regulations, the Commission shall determine the aggregate revenue requirement (ARR) for the transmission business.

(3) Tariff determined by the Commission and the directions given in the tariff order made by the Commission shall be the quid pro quo and mutually inclusive. The tariff determined shall, within the period specified by it, be subject to the compliance of the directions to the satisfaction of the Commission and their noncompliance shall lead to such amendment, revocation, variation and alteration of the tariff, as may be ordered by the Commission.

(4) The tariff order shall, unless amended or revoked, continue to be in force for such period as may be specified in the tariff order. In the event of failure on the part of the licensee to file the aggregate revenue requirement (ARR) under Part-VI, the tariff determined by the Commission shall cease to operate, unless allowed to be continued for a further period with such variations, or modifications, as may be ordered by the Commission.

5. Multi Year Tariff (MYT) Framework: (1) The Commission shall adopt multi year tariff framework for approval of ARR and expected revenue from tariffs and charges. The ARR and tariffs will be determined for the control period.

(2) *The multi year tariff framework shall be based on the following: -*

- (a) **Business plan** of the transmission licensee for the entire control period to be submitted to the Commission for approval, prior to the beginning of the control period;
- (b) **Trajectory for specific parameters** shall be stipulated by the Commission, where the performance of the applicant is sought to be improved through incentives and disincentives;
- (c) **Annual review of performance** will be conducted vis-à-vis the approved forecast.

6. Segregation of Transmission Business and SLDC Activity: (1) The transmission licensee shall segregate its business into transmission business and SLDC activity. The transmission business revenue requirement shall be used for determining non-discriminatory transmission charges.

(2) Till such time there is a complete segregation of accounts between transmission business and SLDC activity, the ARR for each business shall be supported by an allocation statement containing the apportionment of all costs, revenues, assets, liabilities, reserves and provisions between the transmission business, SLDC activity and any other business of the transmission licensee. The allocation statement shall also contain the methodology used for the apportionment between different businesses.

7. Determination of Baseline: The baseline values (operating and cost parameters) for the control period shall be determined by the Commission and would be based on the latest audited accounts, last approved values by the Commission, estimate of the actuals for the relevant year, prudence check and other factors considered appropriate by the Commission.

8. Targets for Controllable Parameters: (1) The Commission will set targets for the items or parameters that are deemed to be “controllable” and which will include -

- (a) **Transmission loss** which is defined as difference between total energy input to the transmission system and the total energy output at its distribution interfaces;
- (b) **Availability of the transmission system;**
- (c) **Operation and Maintenance Expenses** which includes employee expenses, repairs and maintenance expenses, administration and general expenses and other miscellaneous expenses viz. audit fees, rents, legal fees etc;
- (d) **Financing cost** which includes cost of debt including working capital (interest), cost of equity (return);
- (e) **Depreciation.**—(2) The Commission will normally not revisit the performance targets, once determined even if the targets are fixed on the basis of un-audited accounts.

9. True Up: (1) The true up across various controllable parameters shall be conducted as per principles stated below: -

- (a) any surplus and deficit on account of O&M expenses shall be to the account of the transmission licensee and shall not be trued up in ARR; and
- (b) at the end of the control period –
 - i. the Commission shall review actual capital investment vis-à-vis approved capital investment.
 - ii. depreciation and financing cost, which includes cost of debt including working capital (interest), cost of equity (return) shall be trued up on the basis of actual/audited information and prudence check by the Commission.

(2) Notwithstanding anything contained in these regulations, the gains or losses in the controllable items of ARR on account of *force majeure* factors shall be passed on as an additional charge or rebate in ARR over such period as may be laid down in the order of the Commission.

10. Operational Norms.—The Commission shall lay down suitable norms of operation for the transmission licensee in the multi year tariff order, based on the submission of the business plans. The parameter which shall be considered shall cover, among others, -

- (a) *Transmission System Availability:* The target availability for recovery of full transmission charges shall be: -
 - (i) the alternating current (AC) System: 98%;
 - (ii) the high voltage direct current (HVDC) bi-pole links and the high voltage direct current (HVDC) back-to-back stations: 95% :

Provided that recovery of fixed charges below the level of target availability shall be on pro rata basis. At zero availability, no transmission charges shall be payable;

Provided further that actual availability shall be calculated in accordance with the procedure laid down in appendix I to these regulations.

- (b) *Transmission Loss - Range of transmission losses (upper and lower) for each year of the control period for the purpose of incentive/penalties* The transmission losses below the approved range shall earn an incentive and such incentive shall be added to the ARR relating to subsequent control period. Similarly increase in the actual transmission losses beyond the approved range shall attract a penalty and such penalty shall be deducted from the ARR relating to subsequent control period.

PART-III

PRINCIPLES FOR DETERMINATION OF AGGREGATE REVENUE REQUIREMENT (ARR)

11. ARR for Transmission Licensee: The aggregate revenue requirement for the transmission business for each year of the control period shall contain the following items: -

- (a) Operation and Maintenance expenses;
- (b) financing cost which includes cost of debt including working capital (interest), cost of equity (return);
- (c) depreciation;
- (d) income tax;
- (e) non-tariff income ; and
- (f) income from other business.

12. Operation and Maintenance (O&M) Expenses: (1) Operation and Maintenance (O&M) expenses shall comprise of the following:

- (a) salaries, wages, pension contribution and other employee costs;
- (b) administrative and general expenses;
- (c) repairs and maintenance expenses;
- (d) other miscellaneous expenses, statutory levies and taxes (except corporate income tax).

(2) The transmission licensee shall submit the O&M expenses for the control period as laid down in the multi year tariff filing procedure. The O&M expenses for the base year will be approved by the Commission taking into account the latest available audited accounts, business plan filed by the transmission licensee, estimates of the actuals for the base year, prudence check and any other factors considered appropriate by the Commission.

(3) The O&M expenses for the nth year of the control period shall be approved based on the formula given below: -

$$O\&M_n = (R\&M_n + EMP_n + A\&G_n) * (1 - X_n)$$

Where -

- (a) $R\&M_n = K * GFAn-1$ and;
- (b) $EMP_n + A\&G_n = (EMP_{n-1} + A\&G_{n-1}) * (INDX_n / INDX_{n-1})$

Where –

‘K’ is a constant (could be expressed in %) governing the relationship between O&M costs and gross fixed assets (GFA) for the nth year. The value of K shall be given in the MYT order of the Commission;

INDX_n – inflation factor to be used for indexing and shall be taken as a combination of the consumer price index (CPI), the wholesale price index (WPI) and any other relevant factor;

EMP_n – employee costs of the transmission licensee for the nth year;

A&G_n – administrative and general costs of the transmission licensee for the nth year;

R&M_n – repair and maintenance costs of the transmission licensee for the nth year;

X_n is an efficiency factor for nth year. Value of X_n shall be determined by the Commission in the MYT tariff order based on licensee’s filings, benchmarking, approved cost by the Commission in past and any other factors that the Commission feels appropriate.

13. Asset Base: (1) The Commission shall determine the asset base for each year of the control period at the beginning of the control period, which shall be –

Sum of:

The asset base of the base year as determined by the Commission considering the most recent audited accounts, estimates of actuals during the base year checked for prudence and any other factors considered appropriate by the Commission, and Proposed capitalisation during the year, checked for prudence covering –

- (a) schemes for which Commission's approval has been granted,
- (b) schemes which have been submitted for Commission's approval, and
- (c) schemes not requiring Commission's approval.

Less:

Assets proposed to be retired during the year.

(2) The interest on loan capital and return on equity shall be computed on the financing of the cost of the schemes included in the asset base.

14. Debt-equity ratio: For the purpose of determination of tariff, the equity and outstanding debt as determined for the base year by the Commission shall be considered as given. However, for any fresh capitalization of assets, the Commission shall apply a debt-equity ratio of 70:30 on the capitalized amount as approved by the Commission for each year of the control period:

Provided that where equity employed is in excess of 30%, the amount of equity for the purpose of tariff shall be limited to 30% and the balance amount shall be considered as loan. The interest rate applicable on the equity in excess of 30% treated as loan has been specified in regulation 16. Where actual equity employed is less than 30%, the actual equity shall be considered.

15. Return on Equity: (1) Return on equity shall be computed on the paid up equity capital determined in accordance with regulation 14 and shall be 14% per annum (post tax) :

Provided that return on equity invested in work in progress shall be allowed from the date of capitalization.

(2) The premium raised by the licensee while issuing share capital and investment of internal resources created out of free reserve, if any, shall also be reckoned as equity for the purpose of computing return on equity, provided such premium amount and internal resources are actually utilised for meeting capital expenditure. For the purposes of calculation of computation of return, the portion of free reserves utilized for meeting the capital expenditure shall be considered from the date the asset created is productively deployed in the transmission business.

(3) Equity invested in foreign currency shall be allowed a return upto the prescribed limit in the same currency and the payment on this account shall be made in Indian rupees based on the exchange rate prevailing on the due date of billing.

16. Interest and Finance Charges: (1) Interest and finance charges on loan capital shall be computed on the outstanding loans, duly taking into account the schedule of repayment, and the

interest rate, in accordance with the terms and conditions of relevant agreements of loan, bond or non-convertible debentures. Exception can be made for the existing or past loans which may have different terms as per the agreements already executed if the Commission is satisfied that the loan has been contracted for and applied to identifiable and approved projects. For the purpose of tariff determination, the outstanding debt at the end of each year of the control period shall be taken as:

Outstanding debt at the end of nth year = Outstanding debt at the end of (n-1)th year + (plus) sum of amount of debt related to assets capitalized under each investment scheme during nth year – (minus) debt repaid during nth year;

For the first year of the control period, (n-1)th year shall be the base year;

Amount of debt related to assets capitalized under an investment scheme during nth year = (70% or actual, whichever is higher) X (multiply) (amount of capitalisation approved by the Commission for such scheme in nth year);

Provided that all loans considered for this purpose shall be identified with the assets created:

Provided further that the interest and finance charges of re-negotiated loan agreements shall not be considered, if they result in higher charges:

Provided further that the interest and finance charges on works in progress shall be excluded and shall be considered as part of the capital cost:

Provided further that neither penal interest nor overdue interest shall be allowed for computation of aggregate revenue requirement.

(2) The interest rate on the amount of equity in excess of 30% treated as notional loan shall be the weighted average rate of the loans of the respective years and shall be further limited to the rate of return on equity specified in these regulations.

(3) In case any moratorium period is availed of in any loan, depreciation provided for in the tariff during the years of moratorium shall be treated, as repayment during those years and interest on loan capital shall be calculated accordingly.

(4) The transmission licensee shall make every effort to refinancing the loan as long as it results in net benefit to the consumers. The cost associated with such refinancing shall be borne by the beneficiaries and any benefit on account of refinancing of loan and interest on loan shall be shared equally between the beneficiaries and the licensee. The licensee shall submit the calculation of such benefit to the Commission for its approval.

(5) In respect of foreign currency loans, variation in rupee liability due to foreign exchange rate variation, towards interest payment and loan repayment actually incurred, in the relevant year shall be admissible; provided it directly arises out of such foreign exchange rate variation and is not attributable to the licensee or its suppliers or contractors.

17. Working Capital: The Commission shall calculate the working capital requirement for the transmission licensee containing the following components: -

(a) O&M expenses for one month;

- (b) Maintenance spares @ 25% of the R&M expenses for one month; and
- (c) receivables for two months based on the projected annual transmission charges.

18. Interest Charges on Working Capital: Rate of interest on working capital to be computed as provided hereinafter in these regulations shall be on normative basis and shall be equal to the short-term prime lending rate of the State Bank of India as on April 1 of the relevant year. The interest on working capital shall be payable on normative basis notwithstanding that the licensee has not taken working capital loan from any outside agency or has exceeded the working capital loan based on the normative figures.

19. Depreciation: (1) Depreciation shall be calculated for each year of the control period, on the amount of original cost of the fixed assets of the corresponding year:

Provided that depreciation shall not be allowed on assets funded by any capital subsidy/grant/consumer contribution.

(2) Depreciation for each year of the control period shall be determined based on the methodology as specified in these regulations alongwith the rates and other terms specified in appendix IV of these regulations.

(3) Depreciation shall be calculated annually, based on the straight line method, over the useful life of the asset. The value base for the purpose of depreciation shall be original cost of the asset. Land is not a depreciable asset and its cost shall be excluded while computing 90% of the original cost of the asset.

(4) The residual value of assets shall be considered as 10% and depreciation shall be allowed to a maximum of 90% of the original cost of the asset.

(5) Depreciation shall be charged from the first year of operation of the asset. In case, the operation of the asset is for the part of the year, depreciation shall be charged on a pro rata basis.

(6) In addition to allowable depreciation, the transmission licensee shall be entitled to advance against depreciation (AAD), computed in the manner given hereunder: -

AAD = Loan (raised for capital expenditure) repayment amount based on loan repayment tenure, subject to a ceiling of 1/10th of loan amount minus depreciation as calculated on the basis of these regulations:

Provided that advance against depreciation shall be permitted only if the cumulative repayment upto a particular year exceeds the cumulative depreciation upto that year;

Provided further that advance against depreciation in a year shall be restricted to the extent of difference between cumulative repayment and cumulative depreciation upto that year.

(7) On repayment of entire loan, the remaining depreciable value shall be spread over the balance useful life of the asset.

20. Corporate Income Tax: (1) Income tax, if any, on the licenced business of the transmission licensee shall be treated as expense and shall be recoverable from its beneficiaries.

However, tax on any income other than that through its licensed business shall not be a pass through, and it shall be payable by the transmission licensee itself.

(2) Any under-recoveries or over-recoveries of tax on income shall be adjusted every year on the basis of income-tax assessment, under the Income Tax Act, 1961, as certified by the statutory auditors:

Provided further that the benefits of tax-holiday as applicable in accordance with the provisions of the Income Tax Act, 1961 shall be passed on to the beneficiaries;

(3) The income tax actually payable or paid shall be included in the tariff computation. The actual assessment of income tax should take into account benefits of tax holiday, and the credit for carry forward losses applicable as per the provisions of the Income Tax Act, 1961 shall be passed on to the beneficiaries.

(4) Tax on income, if any, liable to be paid shall be limited to tax on return on equity. However, any tax liability on incentives due to improved performance shall not be considered.

21. Recovery of Corporate Income Tax: Recovery of income tax shall be done directly by the transmission licensee from the beneficiaries without making any application before the Commission:

Provided that in case of any objections by the beneficiaries to the amounts claimed on account of income tax, the beneficiaries shall make the payments and can make an appropriate application before the Commission for its decision.

22. Non-Tariff Income: (1) All incomes being incidental to electricity business and derived by the licensee from sources, including but not limited to profit derived from disposal of assets, rents, delayed payment surcharge, income from investments, miscellaneous receipts from the beneficiaries excluding income to licensed business from the other business of the transmission licensee shall constitute non-tariff income of the licensee.

(2) The amount projected by the licensee on account of non-tariff income shall be deducted from the aggregate revenue requirement in calculating the net revenue requirement of the licensee.

23. Other Income of the Transmission Licensee: Where the transmission licensee is engaged in any other business, the income from such business will be calculated in accordance with the Himachal Pradesh Electricity Regulatory Commission (Treatment of Income of Other Businesses of Transmission Licensees and Distribution Licensees) Regulations, 2005 and shall be deducted from the aggregate revenue requirement in calculating the revenue requirement of the transmission licensee:

Provided that the transmission licensee shall follow a reasonable basis for allocation of all joint and common costs between the transmission business and the other business and shall submit the allocation statement, as approved by the board of directors, to the Commission alongwith his application for determination of tariff:

Provided further that where the sum total of the direct and indirect costs of such other business exceeds the revenues from such other business or for any other reason, no amount shall be

allowed to be added to the aggregate revenue requirement of the transmission licensee on account of such other business.

24. Refund of excess amount: The licensee shall recover the charges as determined by the Commission. Where any licensee recovers charges exceeding those determined by the Commission, the excess amount shall be refunded to the person who has paid such excess charges, alongwith interest equal to the prevalent short term prime lending rate of the State Bank of India without prejudice to any other liability incurred by such licensee.

25. Incentive: (1) The transmission licensee shall be entitled to incentive on achieving annual availability beyond the target availability, in accordance with the following formula: -

$$\text{Incentive TSC} = * \frac{[AA - TA]}{TA}$$

Where –

TSC is the annual transmission charge;

TA is the as target transmission system availability (in percent) as defined in regulation 10;

AA is the actual annual availability (in percentage) of the transmission system of the transmission licensee:

Provided that no incentive shall be payable above the availability of 99.75% for alternating current (AC) system and 98.5% for high voltage direct current (HVDC) system.

(2) Incentive amount worked out from above in a year shall be added to the ARR of the following year and shall be spread over the beneficiaries in the ratio of their allotted transmission capacity for the year.

26. Late Payment Surcharge: In case the payment of bills of transmission charges is delayed beyond a period of one month from the date of billing, the transmission licensee may levy a late payment surcharge at the rate of 1.25% per month.

27. Rebate: For payment of bills of transmission charges through a letter of credit on presentation, a rebate of 2% shall be allowed. If the payment is made by any other mode but within a period of one month of presentation of bills by the transmission licensee, a rebate of 1% shall be allowed.

28. Quality of Supply: (1) The Commission shall monitor the following quality of supply parameters during the control period: -

- (a) transmission system availability;
- (b) transformer failure, across various capacities which represents the number of transformer failures as a percentage of the total number of transformers in that specified capacity within the transmission system, over a specified period of time.

(2) The transmission licensee in its business plan filings shall submit and propose the trajectory for the achievement of quality targets. The Commission will lay down the targets for each parameter in the MYT order. The transmission licensee shall submit its performance on each parameter in the form and manner laid down by the Commission.

29. Safety Standards: The transmission licensee shall develop a safety manual and follow procedures to maintain atleast minimum safety standards during construction, operation, etc. in line with provisions of section 53 of the Act.

PART-IV

PRINCIPLES FOR DETERMINATION OF TRANSMISSION TARIFF / CHARGES

30. Separation of Transmission and SLDC functions: The State Transmission Utility (STU) shall separate its business into transmission and SLDC functions, and segregate its accounts between these two businesses. Till the segregation of the accounts is completed, the State Transmission Utility (STU) shall submit an allocation statement that contains the apportionment of costs and revenues to that business. The allocation statement, approved by the board of directors of the State Transmission Utility (STU), shall be accompanied with an explanation of the methodology for apportionment, which should be consistent over the control period.

31. Transmission Tariff / Charges:(1) The transmission charges payable by the beneficiaries of the transmission system shall be designed to recover the aggregate revenue requirement computed as annual transmission charges by the Commission for each year of the control period.

(2) In addition to transmission charges, charges for reactive energy, as may be determined by the Commission in the MYT order, shall also be payable by all the beneficiaries of the system.

32. Allocation of Transmission Charges: (1) The annual transmission charges (TSC) shall be shared by all beneficiaries of the transmission system on monthly basis based on the contracted transmission capacity.

(2) The transmission charges payable by the beneficiaries shall be determined in accordance with the following formula: -

$$MLTC = \{[(Net\ ARR\ of\ the\ transmission\ licensee/12) - 0.75 * STI - ITFI] / TCL_LT\} * CL$$

Where –

“MLTC” means monthly long-term transmission charge in Rs./month;

“Net ARR” means net aggregate revenue requirement as determined in Part- III;

“STI” means income from short-term open access customers of the transmission network, for the month, determined under sub-regulation (3); “ITFI” means income from provision for intervening transmission facilities, for the month, determined under regulation 33;

“CL” means contracted capacity of the transmission system by the long-term transmission customer or long term open access customer as the case may be;

“TCL_LT” means total contracted capacity of the transmission system by all long-term transmission customers and long term open access customers:

Provided that wherever it is necessary and expedient to incentivise the open access, the Commission may, by order, cap the transmission charges calculated under this sub-regulation.

(3) In the case of short term open access customers, charges payable shall be calculated in accordance to following methodology: -

$$ST_RATE = 0.25 \times [TSC / Av_CAP] / 365;$$

Where –

ST_RATE is the rate for short-term open access customer in Rs per MW per day;

TSC is annual transmission charge;

Av_CAP means the average capacity in MW served by the transmission system of the transmission licensee in the last financial year and shall be the sum of the generating capacities connected to the transmission system and contracted capacities of other transactions handled by the system of the transmission licensee;

(4) The transmission charges payable by a short-term customer in case of uncongested transmission corridor shall be levied as under, namely: -

Upto 6 hours in a day in one block = 1/4th of ST_RATE;

More than 6 hours and upto 12 hours in a day in one block = ½ of ST_RATE;

More than 12 hours and upto 24 hours in a day in one block = ST_RATE.

(5) 25% of the charges collected from the short term open access customer shall be retained by the transmission licensee and the balance 75% shall be considered as non-tariff income and adjusted towards reduction in the transmission service charges payable by the beneficiaries.

33. Charges for intervening transmission facilities:(1) The rates and charges for intervening transmission facilities, if any, provided by the licensee shall be as mutually agreed upon between the licensee and the users of such facilities:

Provided that the rates and charges agreed upon shall be fair and reasonable and may be allocated in proportion to the use of the transmission facilities.

(2) Mutual agreement on these matters would be in the best interest of the parties. In case, such agreement cannot be reached within a reasonable period of time, either party shall be entitled to approach the Commission for determination under the proviso to sub-section (1) of section 36 of the Act and the Commission would expect evidence that negotiations were held in good faith and all reasonable efforts were made to arrive at a mutual agreement.

(3) The parties shall be at liberty to approach the Commission in case of any dispute regarding the extent of surplus capacity available, as provided for in section 35 of the Act.

(4) An application shall be made to the Commission for an order requiring any other licensee owning or operating intervening transmission facilities to provide their use to the extent of surplus capacity available with it.

(5) After an order is passed under sub-regulation (4), read with section 35 of the act, the concerned licensee shall provide his intervening transmission facilities at rates, charges and on terms and conditions as may be mutually agreed upon, under section 36 of the Act.

PART-V

STATE LOAD DESPATCH CENTRE (SLDC) FEES AND CHARGES

34. Annual Fee and Operating Charges:(1) Users shall pay to State Load Despatch Centre (SLDC) an annual fee and monthly operation charges leviable on the electricity transmitted, in MWs (mega-watts), subject to the charges for a minimum of one MW:

Provided that for the purpose of billing and collection the above-mentioned fee and charges, a fraction of a MW shall be treated as one full MW:

Provided further that the operating charges shall be leviable for a minimum period of one month, a fraction of a month being rounded off to a full month.

(2) The basis for determination of the annual fee shall be the capital cost to cover the repayment of principal and payment of interest on investments in a year, plus any residual capital cost of past investments.

(3) The fee will be revised only on the basis of a filing made to the Commission by State Load Despatch Centre (SLDC) to cover any investments for up gradation and/or modernization of State Load Despatch Centre (SLDC) that may be required.

(4) The annual fee shall be computed as follows:

$$\text{Annual SLDC Fee (Rs/MW/per annum)} = \frac{\text{Capital cost (in Rs)}}{\text{Total Contracted Capacity}}$$

Where –

Capital cost for a given year shall be computed as follows: -

$$\text{Capital cost (in Rs.)} = \text{Investment} \times \frac{r}{1 - \frac{1}{(1+r)^t}}$$

Where –

Investment = Actual investment made in an year plus any residual value of previous investment (s);

r = Actual rate of interest on borrowed capital;

t = Number of years in which the investment is proposed to be recovered; for software, it would be 5 years and 10 years for other investments.

Total contracted capacity = means contracted capacity of all long-term transmission customers and long term open access customers.

(5) The operating charges shall be fixed year-wise on the basis of the annual operating charges of the State Load Despatch Centre (SLDC), which shall be arrived at in accordance with the aggregate revenue requirement (other than interest and finance charges, loan repayment) calculations detailed in regulation 11.

(6) Annual operating charges will include O&M expenses and any other expenses which have not been covered under capital cost and O&M expenses.

(7) The monthly operating charges per MW shall be computed as per following formula: -

$$\text{Operating charges (Rs/MW/per month)} = \frac{\text{Annual Operating Charges}}{\text{Total Contracted Capacity (MW)} \times 12}$$

(8) Variations in recovery of capital cost and operating charges over the fee and charges fixed for control period year on account of variations in State Load Despatch Centre (SLDC) usage shall be adjusted in the subsequent control period, or earlier in case the variations are considered to be significant by the Commission warranting adjustment thereof before the commencement of the subsequent control period, with financing cost at the average rate(s) of borrowing during the year(s) to which the variations relate.

35. Application for connection to State Grid:(1) The generating companies and licensees engaged in intra-State transmission of electricity, intending to get connected to the state grid, shall submit an application to the State Load Despatch Centre (SLDC) in the specified format given in annexure-V at least one month before the proposed date of connection to the State Grid, alongwith a fee of Rs. one lakh.

(2) The State Load Despatch Centre (SLDC), after scrutinising the application and after being satisfied of the completeness and correctness of the information furnished in the application, shall register the application in the State Load Despatch Centre (SLDC) records duly intimating the applicant regarding the acceptance and file a copy with the Commission. The State Load Despatch Centre (SLDC) shall file information about the generating companies and licensees engaged in the intra-State transmission of electricity connected to the State Grid and being monitored/ serviced by them, to the Commission every year by the 15th November.

36. Levy and Collection of SLDC Fee and Charges:(1) The State Load Despatch Centre (SLDC) charges (Annual Fee and Operating charges) shall be payable by the generating companies (including captive generating plants), distribution licensees and trading licensees using the intra-

State transmission network under any agreement or arrangement with the transmission licensee in proportion to the capacity contracted.

(2) *Fees:* The annual fee as specified by the Commission shall be paid by all Users in advance in two equal instalments, by the 10th of April and the 10th of October of every financial year:

Provided that in case where the usage of intra-State transmission system commences after the 10th of April or the 10th October of a year, the fee for the period upto the 30th September of the year and the 31st March of the subsequent year respectively shall be required to be paid before the commencement of intra- State transmission.

(3) *Operating charges:* The operating charges of State Load Despatch Centre (SLDC) shall be paid monthly.

(4) If the fee and charges as the case may be are not paid by the due date(s), surcharge at the rate of 1.25 percent per month shall be levied on the unpaid amounts.

(5) An amount equivalent to two months' operating charges shall have to be deposited in advance by every User as security against default in payment of operating charges.

(6) The short-term open access customer shall also pay to the State Load Despatch Centre (SLDC) the operating charges as per the provisions of the Himachal Pradesh Regulatory Commission (Terms and Conditions for Open Access) Regulations, 2005.

(7) Disputes arising out of delay/ non-payment of the State Load Despatch Centre (SLDC) Charges shall be, as far as possible, settled by mutual negotiations. If the disputes are not resolved through mutual negotiations within ninety days, the matter shall be referred to the Commission through a petition by either of the parties. The decision of the Commission shall be binding on both the parties.

37. Compliance with the directions by Transmission Licensee.—(1) Subject to the directions issued by the National Load Despatch Centre or the Regional Load Despatch Centre, the State Load Despatch Centre (SLDC) may, under sub-section (2) of section 32 and sub-section (1) of section 33, read with clause (b) of section 40 of the Act, give such directions as it may consider appropriate, for maintaining the availability of the transmission system and the transmission licensee shall duly comply with all such directions.

(2) The Commission, on an application filed by the State Load Despatch Centre (SLDC) and after hearing the transmission licensee, if satisfied that the transmission licensee has persistently failed to maintain the availability of the transmission system, may issue such directions to the State Load Despatch Centre (SLDC) to take control of the operations of the transmission system of such transmission licensee, for such period and on such terms, as the Commission may decide.

(3) The directions under sub-regulations (1) and (2) shall be without prejudice to any action which may be taken against the transmission licensee under other provisions of the Act.

PART-VI**MULTI YEAR TARIFF FILING PROCEDURE**

38. Multi-Year Filings for the Control Period: (1) The multi year tariff filing shall be in such form and in such manner as may be specified by the Commission in these regulations and also as per the provisions of the conduct of business regulations.

(2) The transmission licensee shall also submit the multi year tariff filing in electronic format to the Commission.

39. Beginning of the Control Period - Business Plan Filings: The transmission licensee shall file for the Commission's approval, on 1st April of the year preceding the first year of the control period or any other date as may be directed by the Commission, a business plan approved by the board of directors / whole time members. The business plan shall be for the entire control period and shall, interalia, contain –

- (a) **CAPITAL INVESTMENT PLAN:** This should be commensurate with load growth and quality improvement proposed in the business plan. The investment plan should also include corresponding capitalisation schedule and financing plan; The Commission shall approve the system augmentation/expansion plan submitted by the transmission licensee, based on the load growth forecast/generation evacuation requirement during the control period. The capital investment plan shall be in conformity with the plans made by the CEA/CTU/STU/distribution licensee.
 - (b) **Capital Structure:** The appropriate capital structure of each scheme proposed and cost of financing (interest on debt) and return on equity, terms of the existing loan agreements, etc;
 - (c) **OPERATION AND MAINTENANCE (O&M) expenses:** This shall include the costs estimated for the base year, the actual expenses incurred in the previous two years and the projected values for each year of the control period based on the proposed norms for O&M cost, including indexation and other appropriate mechanism;
 - (d) **DEPRECIATION:** Based on the fair life of the asset and capitalisation schedules for each year of the control period;
 - (e) **PERFORMANCE TARGETS:** A set of targets proposed for controllable items such as range of transmission losses (upper and lower), availability of transmission system, transformer failure rate, and any other parameters for quality of supply for each year of the control period for the purpose of incentive / penalties. The targets shall be consistent with the capital investment plan proposed by the transmission licensee;
 - (f) **OTHER INFORMATION:** This shall include any other details considered appropriate by the transmission licensee for consideration during determination of tariff; and
 - (g) **STATE LOAD DESPATCH CENTRE (SLDC) FEES AND CHARGES**
- 40. ANNUAL FILINGS DURING THE CONTROL PERIOD – ARR AND TARIFF FILINGS:** (1) The transmission licensee shall file an application for approval of transmission tariff for each year of the control period, not less than 120 days before

the commencement of the first year of the control period or such other date as may be directed by the Commission.

- (2) The filings for transmission tariff shall contain the following: -
- (a) the transmission system or network usage forecast for each year of the control period, consistent with the business plan;
 - (b) proposals for transmission tariff design for each year of the control period, including the losses to be charged and the procedure thereof;
 - (c) proposal for transmission tariff rate for the each year of the control period supported by adequate justification;
 - (d) proposal for reactive energy charges;
 - (e) proposal for State Load Despatch Centre (SLDC) fees and charges;
 - (f) expected revenue from the licensed business, non-tariff income and income from other business and other matters considered appropriate by the transmission licensee.

41. Review At The End Of The Control Period: (1) Towards the end of the control period, the Commission shall review if the implementation of the principles laid down in these regulations has achieved their intended objectives. While doing this, the Commission shall take into account, among other things, the industry structure, sector requirements, consumer and other stakeholder expectations and the licensee's requirements at that point in time. Depending on the requirements of the sector to meet the objects of the Act, the Commission may revise the principles for the second control period.

(2) The end of the first control period shall be the beginning of the second control period and the licensee shall follow the same procedure, unless required otherwise by the Commission. The Commission shall analyse the performance of the licensee with respect to the targets set out at the beginning of the first control period and based on the actual performance, expected efficiency improvements and other factors prevalent, determine the initial values for the next control period.

42. Disposal of Application: (1) The Commission will process the filings made by the transmission licensee in accordance with these regulations and the conduct of business regulations.

(2) Based on the transmission licensee's filings, objections/ suggestions from public and other stakeholders, the Commission may, within 120 days of the receipt of the application, complete in all respects, and after considering all suggestions and objections from public and other stakeholders, -

- (a) issue, a tariff order with such modifications and/or such conditions, as may be deemed just and appropriate containing, inter alia targets for controllable items, transmission tariffs State Load Despatch Centre (SLDC) fees and charges for each year of the control period; or
- (b) reject the application for reasons to be recorded in writing if such application is not in accordance with the provisions of the Act and the rules and regulations made thereunder or the provisions of any other law for the time being in force.

43. Periodic Reviews: (1) To ensure smooth implementation of the multi year tariff (MYT) framework, the Commission may undertake periodic reviews of transmission licensees' performance during the control period, to address any practical issues, concerns or unexpected outcomes that may arise.

(2) The transmission licensee shall submit information as part of annual review on actual performance vis-à-vis the targets approved by the Commission at the beginning of the control period. This shall include annual statements of its performance and accounts including the latest available audited/actual accounts and the tariff worked out in accordance with these regulations.

(3) The Commission may also direct any modifications to the forecast of the transmission licensee for the remainder of the control period, with detailed reasons for the same.

44. Publication: The transmission licensee shall publish the tariff approved by the Commission in the newspapers, having circulation in the area of supply, as the Commission may direct. The publication shall, besides such other things as the Commission may require, include a general description of the tariff changes.

PART-VII

MISCELLANEOUS

45. Issue of Orders and Practice Directions: (1) Subject to the provision of the Act and these regulations, the Commission may, from time to time, issue orders and practice directions, prescribe formats in regard to the implementation of these regulations and procedure to be followed on various matters, which the Commission has been empowered by these regulations to direct, and matters incidental or ancillary thereto.

(2) Notwithstanding anything contained in these regulations, the Commission shall have the authority, either suo motu or on a petition filed by any interested or affected person, to determine the tariff of any licensee.

46. Powers to remove difficulties: In case of any difficulty in giving effect to any of the provisions of these regulations, the Commission may, either suo motu or on an application made to it, do or undertake to do things, or by general or special order direct the licensee to take suitable action, not being inconsistent with the Act, which appears to the Commission to be necessary or expedient for the purpose of removing the difficulty.

47. Power of Relaxation: The Commission may, in public interest and for reasons to be recorded in writing, relax any of the provision of these regulations.

48. Interpretation: All issues arising in relation to interpretation of these regulations shall be determined by the Commission and the decision of the Commission on such issues shall be final.

49. Saving of Inherent Powers of the Commission: Nothing contained in these regulations shall limit or otherwise affect the inherent powers of the Commission from adopting a procedure, which is at variance with any of the provisions of these regulations, if the Commission, in view of the special circumstances of the matter or class of matters and for reasons to be recorded in writing, deems it necessary or expedient to depart from the procedure specified in these regulations.

50. Enquiry and Investigation: All enquiries, investigations and adjudications under these regulations shall be done by the Commission through the proceedings in accordance with the provisions of the conduct of business regulations.

51. Power to Amend: The Commission, for reasons to be recorded in writing, may at any time amend, vary, alter or modify any of the provisions of these regulations.

52. Repeal & Savings: (1) The H.P. Electricity Regulatory Commission (Charges for Transmission, Wheeling and Intervening facilities and Fee and Charges to be collected by the State Load Despatch Centre) Regulations, 2006 are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action already taken under the repealed regulations, shall, in so far as it is not inconsistent with these regulations, be deemed to have been done or taken under the corresponding provisions of these regulations.

By order,
Sd/—
Secretary.

Appendix I (See regulation 10(a))

Procedure for calculation of Transmission System Availability

1. Availability shall be calculated and declared separately for each voltage level.
2. The transmission elements shall be grouped into following categories for the purpose of calculation of availability of Transmission Systems:-
 - (a) AC transmission lines: Each circuit of AC transmission line shall be considered as one element.
 - (b) Inter-Connecting Transformers (ICTs): Each ICT bank (three single phase transformer together) shall form one element.
 - (c) Static VAR Compensator (SVC): SVC along with SVC transformer shall form one element. However, 50% credit to inductive and 50% to capacitive rating shall be given.
 - (d) Switched Bus Reactor: Each Switched Bus Reactor shall be considered as one element.
3. The Availability of AC Transmission system shall be calculated as under:- % System Availability for AC system

$$= \frac{(o \times AV_o + p \times AV_p + q \times AV_q + r \times AV_r)}{(o + p + q + r)} \times 100$$

Where –

o is Total number of AC lines.

Avo is Availability of o number of AC lines.

p is Total number of switched bus reactors.

Avp is Availability of p number of Switched bus Reactors.

q is Total number of ICTs.

Avq is Availability of q number of ICTs.

r is Total number of SVCs.

Avr is Availability of r number of SVCs.

4. The weightage factor for each category of transmission elements shall be as under:-

- (a) For each circuit of AC line - Surge Impedance Loading for Uncompensated line (SIL) multiplied by Circuit Km. SIL rating for various voltage level and conductor configuration is given in Appendix-II. However, for the voltage levels and/or conductor configurations not listed in Appendix-II, appropriate SIL based on technical considerations may be used for availability calculation under intimation to long-term transmission customers.
- (b) For each ICT bank - The rated MVA capacity.
- (c) For SVC - The rated MVAR capacity (inductive & capacitive).
- (d) For Switched Bus Reactor - The rated MVAR capacity.

5. The availability for each category of transmission elements shall be calculated based on the weight-age factor, total hours under consideration and non-available hours for each element of that category. The formulae for calculation of Availability of each category of the Transmission elements are as per Appendix-III.

6. The transmission elements under outage due to following reasons not attributable to the Transmission Licensee shall be deemed to be available: -

- (a) Shut down of transmission elements availed by other agency/agencies for maintenance or construction of their transmission system.
- (b) Manual tripping of line due to over voltage and manual tripping of Switched Bus Reactor as per the directions of RLDC / SLDC.

7. Outage time of transmission elements for the following contingencies shall be excluded from the total time of the element under period of consideration :-

- (a) Outage of elements due to acts of God and force majeure events beyond the control of the Transmission Licensee.
- (b) Outage caused by grid incident/disturbance not attributable to the Transmission Licensee, e.g. faults in substation or bays owned by other agency causing outage of the Transmission Licensee's elements, tripping of lines, ICTs, etc. due to grid disturbance. However, if the element is not restored on receipt of direction from RLDC / SLDC while normalizing the system following grid incident/disturbance within reasonable time, the element will be considered not available for whole period of outage and outage time shall be attributable to the Transmission Licensee.
8. If the outage of any element causes loss of generation at the generating station, outage period for that element shall be deemed to be twice the actual outage period for the day(s) on which such of generation has taken place.

Appendix-II

(See para (4)(a) of Appendix-I)

SURGE IMPEDANCE LOADING (SIL) OF AC LINES

S.No.	Line voltage (kv)	Conductor Configuration	SIL (MW)
1	400	Quad Bersimis	691
2	400	Twin Moose	515
3	400	Twin AAAC	425
4	400	Quad Zebra	647
5	400	Quad AAAC	646
6	400	Tripple Snowbird	605
7	400	ACKC(500/26)	556
8	400	Twin ACAR	557
9	220	Twin Zebra	175
10	220	Single Zebra	132
11	132	Single Panther	50
12	66	Single Dog	10

Appendix-III

(See para (5) of Appendix-I)

Formulae for calculation of Availability of each category of transmission elements

$$\begin{aligned}
 \text{Avo (Availability of o no. of AC lines)} &= \frac{\sum_{i=1}^o \frac{W_i(T_i - \text{TNA}_i)}{T_i}}{\sum_{i=1}^o W_i} \\
 \text{AVq (Availability of q no. of ICTs)} &= \frac{\sum_{k=1}^q \frac{W_k(T_k - \text{TNA}_k)}{T_k}}{\sum_{k=1}^q W_k} \\
 \text{AVr (Availability of r no. of SVCs)} &= \frac{\left[\sum_{l=1}^r 0.5 \frac{W_{Il}(T_{Il} - \text{TNA}_{Il})}{T_{Il}} + \sum_{l=1}^r 0.5 \frac{W_{cl}(T_{cl} - \text{TNA}_{cl})}{T_{cl}} \right]}{\left[\sum_{l=1}^r 0.5 W_{Il} + \sum_{l=1}^r 0.5 W_{cl} \right]} \\
 \text{AVs (Availability of s no. of Switched BusReactors)} &= \frac{\sum_{m=1}^s \frac{W_m(T_m - \text{TNA}_m)}{T_m}}{\sum_{m=1}^s W_m}
 \end{aligned}$$

Where –

W_i = Weightage factor for i th transmission line

W_k = Weightage factor for k th ICT

W_{Il} & W_{cl} = Weightage factors for inductive & capacitive operation of for l th SVC

W_m = Weightage factor for m th bus reactor.

T_i , T_k , T_{Il} , T_{cl} , & T_m = The total hours of i th AC line, k th ICT, l th SVC (Inductive Operation), l th SVC (Capacitive Operation) & m th Switched Bus Reactor block during the period under consideration (excluding time period for outages not attributable to Transmission Licensee for reasons given in Para 7 of the procedure in appendix-I).

TNA_i , TNA_k , TNA_{Il} , & TNA_{cl} , TNA_m = The non-availability hours (excluding the time period for outages not attributable to Transmission Licensee taken as deemed availability as per Para 6 of the procedure in appendix-III) for i th AC line, k th ICT, l th SVC (Inductive Operation), l th SVC (Capacitive Operation) & m th Switched Bus Reactor block.

Appendix IV: Depreciation Schedule (see regulation 19(2))**Appendix 1: Depreciation Schedule (see regulation 19(2))**

Sl No.	Asset Class	Useful Life (Years)	Rate (%)
1.	Land owned under full the	Infiity	0
2.	Land the under lease		
(A)	For investment in land	Period of lease or the period remaining unexpired on the assignment of the lease	0
(B)	For cost of clearing site	Period of lease remaining unexpired at the date of clearing the site	0
3	Assets Purchased New		
(A)	Plant and machinery in generating stations including plant foundations		
(i)	Hydro-electric	35	2.57
(ii)	Steam-electric NHRS & Waste Heat Recovery Boilers / Plants	25	3.60
(iii)	Diesel electric & gas plant	15	6.00
(B)	Cooling towers and circulating water systems	25	3.60
(C)	Hydraulic works forming part of hydroelectric system including:		
(i)	Dams, spillways weirs, canals, reinforced concrete flumes & siphons	50	1.80
(ii)	Reinforced concrete pipelines and surge tanks, steel pipelines, sluice gates, steel surge (tanks) hydraulic control valves and other hydraulic works	35	2.57
(D)	Buildings and civil engineering works of a permanent character, not mentioned above :		
(i)	Offices & showrooms	50	1.80
(ii)	Containing thermo-electric generating plant	25	3.60
(iii)	Containing hydro-electric generating plant	35	2.57
(iv)	Temporary erection such as wooden tructures	5	18.00
(v)	Roads other than kutcha roads	50	1.80
(vi)	Others	50	1.80

Sl No.	Asset Class	Useful Life (Years)	Rate (%)
(i)	Transformers (including foundations) aving a rating of 100 kilo volt amperes and over	25	3.60
(ii)	Others	25	3.60
(F)	Switchgear, including cable connections	25	3.60
(G)	Lightning arrestors:		
(i)	Station type	25	3.60
(ii)	Pole type	15	6.00
(iii)	Synchronous condenser	35	2.57
(H)	Batteries	5	18.00
(I)	Underground cable including joint boxes and disconnected boxes	35	2.57
(J)	Cable duct system	50	1.80
(K)	Overhead lines including supports:		
(i)	Lines on fabricated steel operating at nominal voltages higher than 66 kV	35	2.57
(ii)	Lines on steel supports operating at nominal voltages higher than 13.2 kV but not exceeding 66 kV	25	3.60
(iii)	Lines on steel or reinforced concrete supports	25	3.60
(iv)	Lines on treated wood supports	25	3.60
(L)	Meters	15	6.00
(M)	Self propelled vehicles	5	18.00
(N)	Air conditioning plants :		
(i)	Static	15	6.00
(ii)	Portable	5	18.00
(O)			
(i)	Office furniture and fittings	15	6.00
(ii)	Office equipments	15	6.00
(iii)	Internal wirings including fittings and apparatus	15	6.00
(iv)	Street Light fittings	15	6.00
(P)	Apparatus let on hire:		
(i)	Other than motors	5	18.00
(ii)	Motors	15	6.00
(Q)	Communication equipment		
(i)	Radio and higher frequency carrier systems	15	6.00
(ii)	Telephone lines and telephones	15	6.00
(R)	Assets purchased in second hand and assets not otherwise provided for in the schedule	such reasonable period as the Commission determines in each case having regard to the nature, age and conditions of assets at the time of its acquisition by the owner	

Appendix V: (See regulation 35)**APPLICATION FOR REGISTRATION FOR CONNECTION WITH THE STATE GRID****S. No Particulars**

- i. Name of the Generating Company/ Licensee
- ii. Registered Address
- iii. Phone No./Fax/E-mail Id
- iv. Generating Capacity: In case of Generating Station Installed Capacity (in MWs)
- v. Transmission Capacity: In case of Transmission Network the volume of energy handled (in MUs)
- vi. Proposed date of Connection with the State Grid
- vii. Details of Inter-connection point (enclose separate sheet if necessary)
- viii. DD No. and Date towards Registration Fee payable to State Load Despatch Centre
- ix. Undertaking:

We hereby undertake to abide by the instructions issued by the State Load Dispatch Centre for Grid Management.

Signature of the Authorised Officer

Note: The State Load Dispatch Centre may prescribe and collect necessary technical details from the Generating Companies and Transmission Companies separately.

निर्वाचन विभाग**अधिसूचना**

शिमला-171009, 29 मई, 2007.

संख्या: 5-17/97-ई.एल.एन.- हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद-309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश निर्वाचन विभाग में चौकीदार, वर्ग-IV (अराजपत्रित) पद के लिए इस अधिसूचना से संलग्न उपाबन्ध-"क" के अनुसार निम्नलिखित भर्ती और प्रोन्नति नियम बनाते हैं, अर्थात् :-

1. संक्षिप्त नाम और प्रारम्भ :- (i) इन नियमों का संक्षिप्त नाम "हिमाचल प्रदेश निर्वाचन विभाग चौकीदार, वर्ग-IV (अराजपत्रित) भर्ती और प्रोन्नति नियम, 2007" है।

(ii) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

2. निरसन और व्यावृत्तियां :- (i) इस विभाग की अधिसूचना संख्या: 5-17/97-ई.एल.एन., तारीख 4-8-1998 द्वारा अधिसूचित हिमाचल प्रदेश निर्वाचन विभाग चौकीदार वर्ग-IV (अराजपत्रित) भर्ती एवं पदोन्नति नियम, 1998 का एतद् द्वारा निरसन किया जाता है।

(ii) ऐसे निरसन के होते हुए भी उपर्युक्त उप-नियम-2(i) के अधीन इस प्रकार निरसित नियमों के अधीन की गई कोई नियुक्ति, बात या कार्रवाई इन नियमों के अधीन विधिमान्य रूप से की गई समझी जाएगी।

आदेश द्वारा,
मनीषा नन्दा,
सचिव।

उपाबन्ध "क"

हिमाचल प्रदेश निर्वाचन विभाग चौकीदार, वर्ग-IV (अराजपत्रित) के पद के भर्ती और प्रोन्नति नियम

1	पद का नाम	चौकीदार		
2	पदों की संख्या	क्र. सं.	मुख्यालय/जिलावार स्वीकृत पदों की कुल संख्या	
		1	राज्य मुख्यालय	1
		2	जिला शिमला	—
		3	जिला कांगड़ा	1
		4	जिला हमीरपुर	1
		5	जिला मण्डी	1
		6	जिला चम्बा	1
		7	जिला किन्नौर	1
		8	जिला लाहौल-स्पिति	1
		9	जिला सिरमौर	1
		10	जिला सोलन	1
		11	जिला कुल्लू	1
		12	जिला बिलासपुर	1
		13	जिला ऊना	1
		कुल योग:-		12 (बारह)

- 3 वर्गीकरण : वर्ग-IV (अराजपत्रित)
- 4 वेतनमान : 2520-100-3220-110-3660-120-4140 रूपए
(प्रारम्भिक आरम्भ 2620/-रूपए के साथ)
- 5 चयन पद अथवा अचयन : लागू नहीं
- 6 सीधी भर्ती के लिए आयु : 18 से 45 वर्ष

परन्तु सीधे भर्ती किए जाने वाले व्यक्तियों के लिए ऊपरी आयु सीमा तदर्थ या संविदा पर नियुक्त किए गए व्यक्तियों सहित पहले से सरकार की सेवा में रत अभ्यर्थियों पर लागू नहीं होगी;

परन्तु यह और कि यदि तदर्थ या संविदा के आधार पर नियुक्त अभ्यर्थी इस रूप में नियुक्ति की तारीख को अधिक आयु का हो गया हो, तो वह तदर्थ या संविदा के आधार पर नियुक्ति के कारण विहित आयु में छूट के लिए पात्र नहीं होगा;

परन्तु यह और कि अनुसूचित जातियों/अनुसूचित जनजातियों/अन्य वर्गों के व्यक्तियों के लिए उच्चतम आयु सीमा में उतनी ही छूट दी जा सकेगी जितनी हिमाचल प्रदेश सरकार के साधारण या विशेष आदेशों के अधीन अनुज्ञेय है;

परन्तु यह और भी कि पब्लिक सैक्टर निगमों तथा स्वायत्त निकायों के सभी कर्मचारियों को, जो ऐसे पब्लिक सैक्टर, निगमों/स्वायत्त निकायों के प्रारम्भिक गठन के समय ऐसे पब्लिक सैक्टर निगमों/स्वायत्त निकायों में आमेदन से पूर्व सरकारी कर्मचारी थे, सीधी भर्ती में आयु की सीमा में ऐसी ही रियायत दी जाएगी जैसी सरकारी कर्मचारियों को अनुज्ञेय है, किन्तु इस प्रकार की रियायत पब्लिक सैक्टर निगमों तथा स्वायत्त निकायों के ऐसे कर्मचारीवृन्द को नहीं दी जाएगी जो पश्चात्पूर्वी ऐसे निगमों/स्वायत्त निकायों द्वारा नियुक्त किए गए थे/किए गए हैं और उन पब्लिक सैक्टर निगमों/स्वायत्त निकायों के प्रारम्भिक गठन के पश्चात् ऐसे निगमों/स्वायत्त-निकायों की सेवा में अन्तिम रूप से आमेलित किए गए हैं/किए गए थे।

(1) सीधी भर्ती के लिए आयु सीमा की गणना उस वर्ष के प्रथम दिवस से की जाएगी जिसमें पद (पदों) को, आवेदन आमन्त्रित करने के लिए यथास्थिति विज्ञापित किया गया है या नियोजनालयों को अधिसूचित किया गया है।

(2) अन्यथा सुअर्हित अभ्यर्थियों की दशा में सीधी भर्ती के लिए आयु सीमा और अनुभव भर्ती प्राधिकरण के विवेकानुसार शिथिल किया जा सकेगा।

7 सीधे भर्ती के लिए अपेक्षित न्यूनतम शैक्षिक और अन्य अर्हताएं :

अनिवार्य अर्हताएं : केन्द्रीय/राज्य सरकार द्वारा किसी मान्यता प्राप्त बोर्ड/संस्थान से पांचवीं पास या इसके समकक्ष।

वांछनीय अर्हताएं : हिमाचल प्रदेश की रुढ़ियों, रीतियों और बोलियों का ज्ञान और प्रदेश में विद्यमान विशिष्ट दशाओं में नियुक्ति के लिए उपयुक्तता।

8 क्या सीधे भर्ती किए जाने वाले व्यक्तियों के लिए विहित आयु और शैक्षिक अर्हताएं प्रोन्नत व्यक्तियों की दशा में लागू होगी : आयु : लागू नहीं।
शैक्षिक अर्हताएं : लागू नहीं।

9 परिवीक्षा की अवधि, यदि कोई हो : दो वर्ष, जिसका एक वर्ष से अनधिक ऐसी और अवधि के लिए विस्तार किया जा सकेगा जैसा सक्षम प्राधिकारी, विशेष परिस्थितियों में और लिखित कारणों से आदेश दें।

10 भर्ती की पद्धति: भर्ती सीधी होगी या प्रोन्नति/प्रतिनियुक्ति/स्थानान्तरण द्वारा और विभिन्न पद्धतियों द्वारा भरे जाने वाले पदों की प्रतिशतता : शत प्रतिशत सीधी भर्ती द्वारा या संविदा के आधार पर, ऐसा न होने पर स्थानान्तरण द्वारा।

11 प्रोन्नति, प्रतिनियुक्ति/स्थानान्तरण की दशा में श्रेणियां, जिनसे प्रोन्नति, प्रतिनियुक्ति, स्थानान्तरण किया जाएगा : हिमाचल प्रदेश सरकार के अन्य विभागों में इस पद के समतुल्य वेतनमान में कार्यरत पदधारियों में से स्थानान्तरण द्वारा।

12 यदि विभागीय प्रोन्नति समिति विद्यमान हो तो उसकी संरचना? : लागू नहीं।

13 भर्ती करने में किन परिस्थितियों में हिमाचल प्रदेश लोक सेवा आयोग से परामर्श किया जाएगा : जैसा विधि द्वारा अपेक्षित है।

14 सीधे भर्ती किए जाने वाले व्यक्तियों के लिए अनिवार्य अपेक्षा : किसी सेवा या पद पर नियुक्ति के लिए अभ्यर्थी का भारत का नागरिक होना अनिवार्य है।

15 सीधी भर्ती द्वारा पद पर नियुक्ति के लिए चयन : सीधी भर्ती के मामलों में पद पर नियुक्ति के लिए चयन मौखिक परीक्षा के आधार पर किया जाएगा, यदि भर्ती प्राधिकरण ऐसा करना आवश्यक या समीचीन समझे, तो लिखित परीक्षा या व्यवहारिक परीक्षा के आधार पर किया जाएगा जिसका स्तर/पाठ्यक्रम भर्ती प्राधिकरण द्वारा निर्धारित किया जाएगा।

15क संविदा नियुक्ति द्वारा पद पर नियुक्ति के लिए चयन :

I संकल्पना :

(क) इस पॉलिसी के अधीन निर्वाचन विभाग में चौकीदार, संविदा के आधार पर प्रारम्भ में एक वर्ष के लिए लगाया जाएगा जिसे वर्षानुवर्ष आधार पर दो और वर्षों के लिए बढ़ाया जा सकेगा।

(ख) पद का हिमाचल प्रदेश लोक सेवा आयोग/हिमाचल प्रदेश अधीनस्थ सेवाएं चयन बोर्ड के कार्यक्षेत्र से बाहर होना: मुख्यालय के लिए अतिरिक्त मुख्य निर्वाचन अधिकारी, हिमाचल प्रदेश तथा जिला निर्वाचन कार्यालयों के लिए सम्बद्ध जिला निर्वाचन अधिकारी (उपायुक्त) पदों को संविदा के आधार पर भरने के लिए सरकार का अनुमोदन प्राप्त करने के पश्चात् रिक्त पदों के ब्यौरे कम से कम दो अग्रणी समाचार पत्रों में विज्ञापित करवाएगा और विहित अर्हताओं और भर्ती और प्रोन्नति नियमों में यथाविहित अन्य पात्रता शर्तों को पूरा करने वाले अभ्यर्थियों से आवेदन आमंत्रित करेगा।

(ग) चयन भर्ती एवं प्रोन्नति नियमों में विहित पात्रता शर्तों के अनुसार किया जाएगा।

(घ) इन नियमों के अधीन इस प्रकार चयनित संविदा पर नियुक्त व्यक्ति को सरकारी सेवा (जॉब) में नियमितकरण या स्थाई आमेसन का दावा करने का कोई अधिकार नहीं होगा।

II संविदात्मक उपलब्धियां : संविदा के आधार पर नियुक्त चौकीदार को 3930/—रुपए की दर से नियत समेकित संविदात्मक रकम (जो वेतनमान के प्रारम्भिक जमा मंहगाई वेतन के बराबर होगी) प्रतिमास संदत्त की जाएगी। यदि संविदा में एक वर्ष से अधिक की बढ़ोतरी की जाती है तो क्रमशः द्वितीय और तृतीय

वर्ष के लिए संविदात्मक उपलब्धियों में 100/—रूपए (पद के वेतनमान में वार्षिक वेतन वृद्धि के बराबर) की बढ़ौत्तरी अनुज्ञात की जाएगी।

III नियुक्ति/अनुशासन प्राधिकारी : मुख्यालय के लिए अतिरिक्त मुख्य निर्वाचन अधिकारी, हिमाचल प्रदेश तथा जिला निर्वाचन कार्यालयों के लिए सम्बद्ध जिला निर्वाचन अधिकारी (उपायुक्त) नियुक्ति/अनुशासन प्राधिकारी होगा।

IV चयन प्रक्रिया : संविदा के आधार पर नियुक्ति की दशा में पद पर नियुक्ति के लिए चयन मौखिक परीक्षा के आधार पर, या यदि ऐसा करना आवश्यक या समीचीन समझा जाए तो लिखित परीक्षा या व्यवहारिक परीक्षा के आधार पर किया जाएगा, जिसका स्तर/पाठ्यक्रम इत्यादि सम्बद्ध भर्ती प्राधिकरण द्वारा अवधारित किया जाएगा।

V संविदात्मक नियुक्तियों के लिए चयन समिति : जैसी सम्बद्ध भर्ती प्राधिकरण द्वारा समय-समय पर गठित की जाए।

VI करार : अभ्यर्थी को, चयन के पश्चात् इन नियमों से संलग्न उपाबन्ध-ख के अनुसार करार हस्ताक्षरित करना होगा।

VII निबन्धन और शर्तें : (क) संविदा के आधार पर नियुक्त व्यक्ति को 3930/—रूपए की दर से नियत संविदात्मक रकम (जो वेतनमान के प्रारम्भिक जमा मंहगाई वेतन के बराबर होगी) प्रतिमास संदत्त की जाएगी। संविदा पर नियुक्त व्यक्ति क्रमशः द्वितीय और तृतीय वर्ष के लिए संविदात्मक रकम में 100/—रूपए (पद के वेतनमान में वार्षिक वेतन वृद्धि के बराबर) की वार्षिक वृद्धि का हकदार होगा और अन्य कोई प्रसुविधाएं जैसे वरिष्ठ/चयन वेतनमान आदि नहीं दिया जाएगा।

(ख) संविदा पर नियुक्त व्यक्ति की सेवा पूर्णतः अस्थाई आधार पर होगी। नियुक्ति समाप्त किए जाने के लिए दायी होगी यदि संविदा पर नियुक्त व्यक्ति का कार्य/आचरण ठीक नहीं पाया जाता है।

(ग) संविदा पर नियुक्ति पदधारी को किसी भी दशा में सेवा में नियमितिकरण का कोई अधिकार प्रदान नहीं करेगी।

(घ) संविदा पर नियुक्त व्यक्ति एक मास की सेवा पूरी करने के पश्चात् एक दिन के आकस्मिक अवकाश का हकदार होगा। यह अवकाश एक वर्ष तक संचित किया जा सकेगा। संविदा पर नियुक्त व्यक्ति को किसी भी प्रकार का अन्य कोई अवकाश अनुज्ञात नहीं होगा। वह चिकित्सा प्रतिपूर्ति और एल.टी.सी. इत्यादि के लिए हकदार नहीं होगा/होगी। केवल प्रसूति प्रसुविधा अधिनियम, 1961 के अनुसार प्रसूती अवकाश दिया जाएगा।

(ङ.) नियन्त्रक अधिकारी के अनुमोदन के बिना सेवा से अनाधिकृत अनुपस्थिति से स्वतः ही संविदा की समाप्ति (पर्यावसान) हो जाएगी। संविदा पर नियुक्त व्यक्ति कर्तव्य से अनुपस्थिति की अवधि के लिए संविदात्मक रकम का हकदार नहीं होगा।

(च) संविदा पर नियुक्त व्यक्ति का एक स्थान से दूसरे स्थान के लिए स्थानान्तरण किसी भी दशा में अनुज्ञात नहीं किया जाएगा।

(छ) चयनित अभ्यर्थी को सरकारी/रजिस्ट्रीकृत चिकित्सा व्यवसायी से अपना आरोग्य प्रमाण-पत्र प्रस्तुत करना होगा। बारह सप्ताह से अधिक समय से गर्भवती महिला अभ्यर्थी प्रसव होने तक अस्थाई तौर पर

अनुपयुक्त समझी जाएगी। महिला अभ्यर्थी का किसी प्राधिकृत चिकित्सा अधिकारी/व्यवसायी द्वारा उपयुक्तता के लिए पुनः परीक्षण किया जाएगा।

(ज) संविदा पर नियुक्त व्यक्ति का यदि अपने पदीय कर्तव्यों के सम्बन्ध में दौरे पर जाना अपेक्षित हो, तो वह उसी दर पर, जैसी नियमित कर्मचारियों को लागू है, वेतनमान के न्यूनतम पर, यात्रा भत्ते/दैनिक भत्ते का हकदार होगा/होगी।

VIII नियमित नियुक्ति के लिए दावा करने का अधिकार : इन नियमों के अधीन संविदा के आधार पर लगाए गए अभ्यर्थी को किसी भी दशा में विभाग में चौकीदार के रूप में नियमितिकरण/स्थाई आमेदन का दावा करने का कोई अधिकार नहीं होगा।

16 आरक्षण : सेवा में नियुक्ति, हिमाचल प्रदेश सरकार द्वारा समय-समय पर अनुसूचित जातियों/अनुसूचित जनजातियों/अन्य पिछड़े वर्गों और अन्य प्रवर्ग के व्यक्तियों के लिए सेवाओं में आरक्षण की बाबत जारी किए गए आदेशों के अधीन होगी।

17 विभागीय परीक्षा : लागू नहीं।

18 शिथिल करने की शक्ति : जहां राज्य सरकार की यह राय हो कि ऐसा करना आवश्यक है या समीचीन है, वहां यह कारणों को लिखित में अभिलिखित करके आदेश द्वारा, इन नियमों के किन्हीं उपबन्धों को किसी वर्ग या व्यक्तियों के प्रवर्ग या पदों की बाबत, शिथिल कर सकेगी।

उपाबन्ध—“ख”

चौकीदार और हिमाचल प्रदेश सरकार के मध्य अतिरिक्त मुख्य निर्वाचन अधिकारी, हिमाचल प्रदेश/जिला निर्वाचन अधिकारी (उपायुक्त),..... के माध्यम से निष्पादित की जाने वाली संविदा/करार का प्रारूप

यह करार श्री/श्रीमती.....पुत्र/पुत्री श्री.....
निवासी.....संविदा पर
नियुक्त व्यक्ति (जिसे इसमें इसके पश्चात् ‘प्रथम पक्षकार’ कहा गया है), और अतिरिक्त मुख्य निर्वाचन अधिकारी, हिमाचल प्रदेश/जिला निर्वाचन अधिकारी (उपायुक्त),.....के माध्यम से हिमाचल प्रदेश के राज्यपाल (जिसे इसमें इनके पश्चात् ‘द्वितीय पक्षकार’ कहा गया है) के मध्य आज तारीख..... को किया गया।

‘द्वितीय पक्षकार’ ने उपरोक्त ‘प्रथम पक्षकार’ को लगाया है और ‘प्रथम पक्षकार’ ने चौकीदार के रूप में संविदा के आधार पर निम्नलिखित निबन्धन और शर्तों पर सेवा करने के लिए सहमति दी है:—

1 यह कि ‘प्रथम पक्षकार’.....के रूप में.....से प्रारम्भ होने और.....को समाप्त होने वाले दिन तक एक वर्ष की अवधि के लिए ‘द्वितीय पक्षकार’ की सेवा में चौकीदार के रूप में रहेगा। यह विनिर्दिष्ट रूप से उल्लिखित किया गया है और दोनों पक्षकारों द्वारा करार पाया गया है कि प्रथम पक्षकार की द्वितीय पक्षकार के साथ संविदा, आखिरी कार्य दिवस को अर्थात्.....दिन को स्वयमेव ही पर्यावसित (समाप्त) समझी जाएगी और सूचना नोटिस आवश्यक नहीं होगा।

2 प्रथम पक्षकार की संविदात्मक रकम 3930/—रूपए प्रतिमास होगी।

3 प्रथम पक्षकार की सेवा बिल्कुल अस्थाई आधार पर होगी। यदि संविदा पर नियुक्त व्यक्ति का कार्य/आचरण ठीक नहीं पाया जाता है या यदि नियमित पदधारी उस रिक्ति के विरुद्ध नियुक्त/तैनात कर दिया जाता है जिसके लिए प्रथम पक्षकार को संविदा पर लगाया गया था तो नियुक्ति समाप्त (पर्यावसित) की जाने के लिए दायी होगी।

4 संविदात्मक नियुक्ति किसी भी दशा में नियमित सेवा के लिए पदधारी को कोई अधिकार प्रदान नहीं करेगी।

5 संविदा पर नियुक्त व्यक्ति एक मास की सेवा पूरी करने के पश्चात् एक दिन के आकस्मिक अवकाश का हकदार होगा। यह अवकाश एक वर्ष तक संचित किया जा सकेगा। संविदात्मक चौकीदार को किसी भी प्रकार का अन्य कोई अवकाश अनुज्ञात नहीं होगा। वह चिकित्सा प्रतिपूर्ति और एल.टी.सी. इत्यादि के लिए भी हकदार नहीं होगा/होगी। केवल प्रसूति अवकाश प्रसूति प्रसुविधा अधिनियम, 1961 के अनुसार के अधीन दिया जाएगा।

6 नियन्त्रक अधिकारी के अनुमोदन के बिना कर्तव्यों से अनधिकृत अनुपस्थिति से स्वतः ही संविदा का पर्यावसान (समापन) हो जाएगा। संविदा पर नियुक्त चौकीदार कर्तव्य (कार्य) से अनुपस्थिति की अवधि के लिए संविदात्मक रकम लेने का हकदार नहीं होगा।

7 संविदा आधार पर नियुक्त पदधारी का एक स्थान से दूसरे स्थान के लिए किसी भी दशा में स्थानान्तरण अनुज्ञात नहीं होगा।

8 चयनित अभ्यर्थी को सरकारी/रजिस्ट्रीकृत चिकित्सा व्यवसायी से अपना आरोग्य प्रमाण-पत्र प्रस्तुत करना होगा। बारह सप्ताह से अधिक समय से गर्भवती महिला अभ्यर्थी प्रसव होने तक अस्थाई तौर पर अनुपयुक्त समझी जाएगी। महिला अभ्यर्थी का प्राधिकृत चिकित्सा अधिकारी/व्यवसायी द्वारा उपयुक्तता के लिए पुनः निरीक्षण किया जाएगा।

9 संविदा आधार पर नियुक्त व्यक्ति का यदि अपने पदीय कर्तव्यों के सम्बन्ध में दौरे पर जाना अपेक्षित हो, तो वह उसी दर पर, जैसी नियमित प्रतिस्थानी पदधारी को लागू है, पद के वेतनमान के न्यूनतम पर, यात्रा भत्ते/दैनिक भत्ते का हकदार होगा/होगी।

10 संविदा पर नियुक्त व्यक्ति (यों) को सामूहिक जीवन बीमा योजना के साथ-साथ इ.पी.एफ./जी.पी.एफ. भी लागू नहीं होगा।

इसके साक्ष्यस्वरूप प्रथम पक्षकार और द्वितीय पक्षकार ने साक्षियों की उपस्थिति में इसमें सर्वप्रथम उल्लिखित तारीख को अपने-अपने हस्ताक्षर कर दिए हैं।

साक्षी की उपस्थिति में:-

1.....

.....

.....

(नाम व पूरा पता)

(प्रथम पक्षकार के हस्ताक्षर)

2.....

.....

.....

(नाम व पूरा पता)

(द्वितीय पक्षकार के हस्ताक्षर)

[Authoritative English text of this Department's Notification No. 5-17/97-ELN, dated 29-5-2007 as required under Clause (3) of Article-348 of the Constitution of India]

“ELECTION DEPARTMENT”

NOTIFICATION

Shimla-171009, the 29th May, 2007

No. 5-17/97-ELN.— In exercise of the powers conferred by proviso to Article-309 of the Constitution of India, the Governor, Himachal Pradesh is pleased to make the following Recruitment and Promotion Rules for the post of Chowkidars, Class-IV (Non-Gazetted) in the Election Department, Himachal Pradesh as per Annexure-“A” attached to this notification, namely :-

1 *Short title and commencement* : (i) These rules may be called the “Himachal Pradesh Election Department, Chowkidars, Class-IV (Non-Gazetted) Recruitment and Promotion Rules, 2007”.

(ii) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

2 *Repeal and savings* : (i) “The Himachal Pradesh Election Department Chowkidar Class-IV (Non-Gazetted) Recruitment and Promotion Rules, 1998 notified vide this department’s notification No.5-17/97-ELN, dated 4.8.1998 are hereby repealed.

(ii) Notwithstanding such repeal, any appointment made or anything done or any action taken under these rules so repealed under sub-rule-2 (i) supra shall be deemed to have been validly made, done, or taken under these rules.

By order,
MANISHA NANDA,
Secretary.

ANNEXURE-“A”

RECRUITMENT AND PROMOTION RULES FOR THE POST OF CHOWKIDARS, CLASS-IV (NONGAZETTED), IN THE DEPARTMENT OF ELECTION, HIMACHAL PRADESH.

1	Name of the post.	Chowkidar.		
2	Number of post(s).	1	State Headquarter.	1
		2	District Shimla.	-
		3	District Kangra.	1
		4	District Hamirpur.	1
		5	District Mandi.	1
		6	District Chamba.	1
		7	District Kinnaur.	1
		8	District Lahaul & Spiti.	1
		9	District Sirmour.	1
		10	District Solan.	1
		11	District Kullu.	1
		12	District Bilaspur.	1
		13	District Una.	1
		Total:-		12 (Twelve)

3 *Classification* : Class-IV (Non -Gazetted).

4 *Scale of pay* : Rs.2520-100-3220-110-3660-120-4140.
(With initial start of Rs.2620/-)

5 *Whether selection post or nonselection post* : N.A.

6 *Age for direct Recruitment* : Between 18 and 45 years.

Provided that the upper age limit for direct recruits will not be applicable to the candidates already in service of the Government including those who have been appointed on adhoc or on contract basis;

Provided further that if a candidate appointed on adhoc basis or on contractual basis had become overage on the date he/she shall not be eligible for any relaxation in the prescribed age limit by virtue of his/her such adhoc or contract appointment;

Provided further that upper age limit is relaxable for Scheduled Castes/Scheduled Tribes/Other categories of persons to the extent permissible under the general or special order(s) of the Himachal Pradesh Government;

Provided further that the employees of all public sector Corporations and autonomous bodies, who happened to be Government servant before absorption in public sector Corporations/autonomous bodies at the time of initial constitution of such Corporations /autonomous bodies, shall be allowed age concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the public sector Corporations /autonomous bodies who were /are subsequently appointed by such Corporations /autonomous bodies and who are/were finally absorbed in the service of such Corporations/autonomous bodies after initial constitution of the public sector corporations/ autonomous bodies.

(1) Age limit for direct recruitments will be reckoned on the first day of the year in which the post(s) is/are advertised for inviting applications or notified to the Employment exchanges or as the case may be.

(2) Age and experience in the case of direct recruitment are relaxable at the discretion of the recruiting authority in case the candidate is otherwise well qualified.

7 *Minimum educational and other qualifications required for direct recruitment :*

Essential Qualification : Should be Primary pass or its equivalent from a Board/institution recognised by the Central/State Govt.

Desirable Qualifications : Knowledge of custom, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

8 *Whether age and educational qualification prescribed for direct recruits will apply in the case of promotees? :* Age : N.A.

Educational Qualification : N.A.

9 *Period of probation, if any :* Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing.

10 *Method of recruitment: whether by direct recruitment or by promotion, deputation, transfer and the percentage of posts to be filled in by various methods :* 100% by direct recruitment or on contract basis failing which by transfer.

11 *In case of recruitment by promotion, deputation/ transfer, grades from which promotion/ deputation/ transfer is to be made :* By transfer from amongst the incumbents working in the identical pay scale of this post from other H.P.Govt. Department.

12 *If Departmental Promotion Committee exists, what is its composition? :* N.A.

13 *Circumstances under which the HPPSC is to be consulted in making recruitment :* As required under the law.

14 *Essential requirement for a direct recruit* : A candidate for appointment to any service or post must be a Citizen of India.

15 *Selection for appointment to post by direct recruitment* : Selection for appointment to the post in the case of direct recruitment shall be made on the basis of viva-voce if the recruiting authority, so consider necessary or expedient, by a written test or a practical test, the standard/syllabus etc. of which will be determined by the recruiting authority.

15A Selection for appointment to post by contract appointment.

- (I) **CONCEPT** : (a) Under this policy the Chowkidar in Department of Elections, H.P. will be engaged on contract basis initially for one year, which may be extendable for two more years on year to year basis.
- (b) **POST FALLS OUT OF THE PURVIEW OF HPPSC/HPSSSB**:- The Additional Chief Electoral Officer, H.P. in the case of State Headquarter and the District Election Officer(DC) in the case of their respective District Election Office after obtaining the approval of the Govt. to fill up the posts on contract basis will advertise the details of the vacant posts in atleast two leading newspapers and invite applications from candidates having the prescribed qualifications and fulfilling the other eligibility conditions as prescribed in the R & P Rules.
- (c) The selection will be made in accordance with the eligibility conditions prescribed in the R & P Rules.
- (d) Contract appointee so selected under these Rules will not have any right to claim for regularisation or permanent absorption in Government job.
- (II) **CONTRACTUAL EMOLUMENTS** : The Chowkidar appointed on contract basis will be paid consolidated fixed contractual amount @ Rs.3930/-P.M.(which shall be equal to initial of the pay scale + Dearness Pay). An amount of Rs. 100/- (equal to annual increase in the pay scale of the post) as per annual increase in contractual emoluments for the second and third years respectively will be allowed if contract is extended beyond one year.
- (III) **APPOINTING/DISCIPLINARY AUTHORITY** : The Additional Chief Electoral Officer, Himachal Pradesh in case of State Headquarter and the District Election Officer (DC) concerned in case of their District Election Offices will be the Appointing and Disciplinary Authority.
- (IV) **SELECTION PROCESS** : Selection for appointment to the post in the case of Contract Appointment will be made on the basis of viva-voce test if considered necessary or expedient by a written test or practical test the standard/syllabus etc. of which will be determined by the concerned recruiting authority.
- (V) **COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENT** : As may be constituted by the concerned recruiting authority from time to time.
- (VI) **AGREEMENT** : After selection of a candidate, he/she shall sign an agreement as per Annexure-“B” appended to these rules.

(VII) TERMS AND CONDITIONS : (a) The contract appointee will be paid fixed contractual amount @ Rs.3930/-P.M. (which shall be equal to initial of the pay scale + Dearness Pay). The Contract Appointee will be entitled for increase in contractual amount @ Rs. 100/- (equal to annual increase in the pay scale of the post) per annum for second and third years respectively and no other allied benefits such as senior/selection scales etc. shall be given.

- (b) The service of the Contract Appointee will be purely on temporary basis. The appointment is liable to be terminated in case the performance/conduct of the contract appointee is not found satisfactory.
- (c) Contractual appointment shall not confer any right to incumbent for the regularization in the service at any stage.
- (d) Contract appointee will be entitled for one day casual leave after putting one month service. This leave can be accumulated up to one year. No leave of any other kind is admissible to the contract appointee. He/She will not be entitled for Medical Reimbursement & LTC etc. Only maternity Leave will be given as per Maternity Benefit Act, 1961.
- (e) Unauthorized absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the contract. Contract appointee shall not be entitled for contractual amount for the period of absence from duty.
- (f) Transfers of contract appointee will not be permitted from one place to another in any case.
- (g) Selected candidate will have to submit a certificate of his /her fitness from a Govt./Registered Medical Practitioner. Women candidate, pregnant beyond 12 weeks will stand temporarily unfit till the confinement is over. The women candidate will be re-examined for the fitness from an authorized Medical Officer/ Practitioner.
- (h) Contract appointee will be entitled to TA/DA if required to go on tour in connection with his/her official duties at the same rate as applicable to regular officials, at the minimum of the pay scale.

(VIII) RIGHT TO CLAIM REGULAR APPOINTMENT : The candidate engaged on contract basis under these rules has no right to claim regularisation/permanent absorption as Chowkidar in the Department at any stage.

16. Reservation : The appointment to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/ Scheduled Tribes/Other Backward Classes/Other categories of persons issued by the Himachal Pradesh Government from time to time.

17 Departmental Examination : N. A.

18 Power to relax : Where the State Government is of the opinion that it is necessary or expedient to do so, it may by order for reasons to be recorded in writing relax any of the provisions of these rules with respect to any class or category of person or post.

FORM OF CONTRACT/AGREEMENT TO BE EXECUTED BETWEEN THE CHOWKIDAR AND THE GOVERNMENT OF HIMACHAL PRADESH THROUGH ADDITIONAL CHIEF ELECTORAL OFFICER, HIMACHAL PRADESH/DISTRICT ELECTION OFFICER (DC)-----

This agreement is made on this _____ day of _____ in the year _____ between Shri/Smt./Km. _____ S/o/W/o/D/o Shri. _____ R/o _____

Contract appointee (here-in-after called the FIRST PARTY) AND The Governor, Himachal Pradesh through Additional Chief Electoral Officer, Himachal Pradesh/District Election Officer (DC), _____ (here-in-after the SECOND PARTY).

Whereas, the SECOND PARTY has engaged the aforesaid FIRST PARTY and the FIRST PARTY has agreed to serve as a Peon on contract basis on the following terms and conditions:-

1 That the FIRST PARTY shall remain in the service of the SECOND PARTY as a Peon for a period of one years commencing on day of _____ and ending on the day of _____. It is specifically mentioned and agreed upon by both the parties that the contract of the FIRST PARTY with SECOND PARTY shall ipso -facto stand terminated on the last working day i.e. on _____ and information notice shall not be necessary.

2 The contractual amount of the FIRST PARTY will be Rs.3930/- per month.

3 The service of FIRST PARTY will be purely on temporary basis. The appointment is liable to be terminated in case the performance/conduct of the contract appointee is not found good or regular incumbent is appointed/posted against the vacancy for which the first party was engaged on contract.

4 The contractual appointment shall not confer any right to incumbent for the regularization of service at any stage.

5 Contractual appointee will be entitled for one day casual leave after putting one month service. This leave can be accumulated up to one year. No leave of any kind is admissible to the contractual Chowkidar. He/She will not be entitled for Medical Re-imbursement and LTC. Only Maternity leave will be given as per Maternity Benefit Act, 1961.

6 Unauthorized absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the contract. A contractual Chowkidar will not be entitled for contractual amount for the period of absence from duty.

7 Transfer of a incumbent appointed on contract basis will not be permitted from one place to another in any case.

8 Selected candidate will have to submit a certificate of his/her fitness from a Government/Registered Medical Practitioner. In case of Women candidates pregnant beyond twelve weeks will render her temporarily unfit the confinement is over. The woman candidate should be re-examined for fitness from an authorized Medical Officer/Practitioner.

9 Contract appointee shall be entitled to TA/DA if required to go on tour in connection with his/her official duties at the same rate as applicable to regular counterpart official, at the minimum of the pay scale.

10 The Employees Group Insurance Scheme as well as EPF/GPF will not be applicable to the contractual appointee(s).

IN WITNESS the FIRST PARTY AND SECOND PARTY have herein to set their hands the day, month and year first, above written.

IN THE PRESENCE OF WITNESS:

1. _____

(Name and full address)

(Signature of the SECOND PARTY)

2. _____

(Name and full address)

(Signature of the FIRST PARTY)

निर्वाचन विभाग**अधिसूचना**

शिमला-171009, 9 अक्टूबर, 2007.

संख्या: 5-37/2000-ई.एल.एन.,- हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद-309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, हिमाचल प्रदेश निर्वाचन विभाग में प्रोग्रामर, वर्ग-I (राजपत्रित) के पद के लिए इस अधिसूचना से संलग्न उपाबन्ध-"क" के अनुसार निम्नलिखित भर्ती और प्रोन्नति नियम बनाते हैं, अर्थात् :-

1 संक्षिप्त नाम और प्रारम्भ : (1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश निर्वाचन विभाग, प्रोग्रामर, वर्ग-I (राजपत्रित) भर्ती और प्रोन्नति नियम, 2007 है।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

आदेश द्वारा,
मनीषा नन्दाए
सचिव।

उपाबन्ध-"क"

निर्वाचन विभाग, हिमाचल प्रदेश में प्रोग्रामर, वर्ग-I (राजपत्रित) के पद के भर्ती और प्रोन्नति नियम

- 1 पद का नाम : प्रोग्रामर
- 2 पदों की संख्या : 01 (एक)
- 3 वर्गीकरण : वर्ग-I, (राजपत्रित)(अलिपिक वर्गीय सेवाएं)
- 4 वेतनमान : 7220-220-8100-275-10300-340-11660 रूपए
- 5 चयन पद अथवा अचयन पद : चयन पद
- 6 सीधी भर्ती किये जाने वाले व्यक्तियों के लिये आयु : 45 वर्ष और इससे नीचे

परन्तु सीधी भर्ती किए जाने वाले व्यक्तियों के लिए ऊपरी आयु सीमा, तदर्थ या संविदा पर नियुक्त किए गए व्यक्तियों सहित पहले से ही सरकार की सेवा में कार्यरत अभ्यर्थियों को लागू नहीं होगी; परन्तु यह और कि यदि तदर्थ या संविदा के आधार पर नियुक्त किया गया अभ्यर्थी इस रूप में नियुक्ति की तारीख को अधिक आयु का हो गया हो, तो वह तदर्थ या संविदा के आधार पर नियुक्ति के कारण विहित आयु में छूट के लिए पात्र नहीं होगा;

परन्तु यह और भी कि अनुसूचित जातियों/अनुसूचित जन-जातियों तथा अन्य प्रवर्गों के व्यक्तियों के लिए ऊपरी आयु सीमा में उतनी ही छूट दी जा सकेगी जितनी कि हिमाचल प्रदेश सरकार के साधारण या विशेष आदेशों के अधीन अनुज्ञेय है;

परन्तु यह और भी कि पब्लिक सैक्टर निगमों तथा स्वायत्त निकायों के सभी कर्मचारियों को, जो ऐसे पब्लिक सैक्टर निगमों और स्वायत्त निकायों के प्रारम्भिक गठन के समय ऐसे पब्लिक सैक्टर निगमों और स्वायत्त निकायों में आमेलेन से पूर्व सरकार की कर्मचारी थे, सीधी भर्ती में आयु की सीमा में ऐसी ही रियायत दी जाएगी जैसे कि सरकारी कर्मचारियों को अनुज्ञेय है, किन्तु इस प्रकार की रियायत पब्लिक सैक्टर निगमों और स्वायत्त निकायों के कर्मचारियों को नहीं दी जाएगी जो पश्चात्पूर्वी ऐसे निगमों और स्वायत्त निकायों द्वारा नियुक्त किये गये थे/किये गये हैं और उन पब्लिक सैक्टर निगमों और स्वायत्त निकायों के प्रारम्भिक गठन के पश्चात् ऐसे निगमों और स्वायत्त निकायों की सेवा में अन्तिम रूप से आमेलित किए गये हैं/किए गए थे।

(1) सीधी भर्ती के लिए आयु सीमा की गणना उस वर्ष के प्रथम दिवस से की जाएगी जिसमें कि पद (पदों) को आवेदन आमंत्रित करने के लिए यथास्थिति विज्ञापित किया गया है या नियोजनालयों को अधिसूचित किया गया है।

(2) अन्यथा सुअर्हित अभ्यर्थियों की दशा में सीधी भर्ती के लिए आयु सीमा और अनुभव हिमाचल प्रदेश लोक सेवा आयोग के विवेकानुसार शिथिल किया जा सकेगा।

7 सीधी भर्ती के लिए अपेक्षित न्यूनतम शैक्षणिक और अन्य अर्हताएं

(क) अनिवार्य अर्हताएं : किसी मान्यता प्राप्त विश्वविद्यालय से कम्प्यूटर विज्ञान या इंजीनियरिंग/इलेक्ट्रॉनिक्स इंजीनियरिंग में स्तानक की डिग्री के साथ कम्प्यूटर प्रोग्रामिंग में दक्षता या एम0सी0ए0।

(ख) वांछनीय अर्हताएं : हिमाचल प्रदेश की रुढ़ियों, रीतियों और बोलियों का ज्ञान और प्रदेश में विद्यमान विशिष्ट दशाओं में नियुक्ति के लिए उपयुक्तता।

8 सीधी भर्ती किए जाने वाले व्यक्तियों के लिए विहित आयु और शैक्षणिक अर्हताएं प्रोन्नति की दशा में लागू होंगी या नहीं : आयु : लागू नहीं
शैक्षणिक अर्हताएं : जैसी कि स्तम्भ संख्या-11 में विहित है।

9 परिवीक्षा की अवधि, यदि कोई हो : दो वर्ष, जिसका एक वर्ष से अनधिक ऐसी और अवधि के लिए विस्तार किया जा सकेगा जैसा सक्षम प्राधिकारी विशेष परिस्थितियों में और लिखित कारणों से आदेश दें।

10 भर्ती की पद्धति- भर्ती सीधी होगी या प्रोन्नति या सेकण्डमेंट या स्थानान्तरण द्वारा और विभिन्न पद्धतियों द्वारा भरे जाने वाले पदों की प्रतिशतता : शत प्रतिशत प्रोन्नति द्वारा, ऐसा न होने पर सीधी भर्ती द्वारा या संविदा के आधार पर और दोनों के न होने पर सेकण्डमेंट द्वारा।

11 प्रोन्नति, सेकण्डमेंट या स्थानान्तरण की दशा में श्रेणियां (ग्रेड) जिनसे प्रोन्नति, सेकण्डमेंट या स्थानान्तरण किया जाएगा : कम्प्यूटर ऑपरेटर्स में से, जिनके पास कम्प्यूटर एप्लीकेशन में तीन वर्षीय डिग्री हो और साथ ही 10 वर्ष का नियमित सेवाकाल या ग्रेड में लगातार की गई तदर्थ सेवा, यदि कोई हो, को सम्मिलित करके 10 वर्ष का नियमित सेवाकाल हो, प्रोन्नति द्वारा ऐसा न होने पर सरकार के अन्य विभागों में समरूप वेतनमान में कार्यरत इस पद के पदधारियों में से सेकण्डमेंट द्वारा।

नोट:- (1) प्रोन्नति के सभी मामलों में पद पर नियमित नियुक्ति से पूर्व सम्भरण पद में की गई लगातार तदर्थ सेवा, यदि कोई हो, प्रोन्नति के लिए, इन नियमों में यथाविहित सेवाकाल के लिए, इस शर्त के अधीन रहते हुए गणना में ली जायेगी, कि सम्भरण प्रवर्ग में तदर्थ नियुक्ति/प्रोन्नति भर्ती और प्रोन्नति नियमों के उपबन्धों के अनुसार चयन की उचित स्वीकार्य प्रक्रिया को अपनाने के पश्चात् की गई थी;

परन्तु यह कि उन सभी मामलों में जिनमें कोई कनिष्ठ व्यक्ति सम्भरण पद में अपने कुल सेवाकाल (तदर्थ आधार पर की गई सेवा सहित जो नियमित सेवा/नियुक्ति के अनुसरण में हो) के आधार पर उपर्युक्त

निर्दिष्ट उपबन्धों के कारण विचार किए जाने का पात्र हो जाता है वहां अपने-अपने प्रवर्ग/पद/काडर में उससे वरिष्ठ सभी व्यक्ति विचार किए जाने के पात्र समझे जायेंगे और विचार करते समय कनिष्ठ व्यक्ति से ऊपर रखे जायेंगे;

परन्तु यह और कि उन सभी पदधारियों की, जिन पर प्रोन्नति के लिए विचार किया जाना है, कम से कम तीन वर्ष की न्यूनतम अर्हता सेवा या पद के भर्ती और प्रोन्नति नियमों में विहित सेवा, जो भी इनमें से कम हो, होगी ;

परन्तु यह और भी कि जहां कोई व्यक्ति पूर्वगामी परन्तुक की अपेक्षाओं के कारण प्रोन्नति किए जाने सम्बन्धी विचार के लिए अपात्र हो जाता है, वहां उससे कनिष्ठ व्यक्ति भी ऐसी प्रोन्नति के विचार के लिए अपात्र समझा जाएगा/समझे जाएंगे।

स्पष्टीकरण : अन्तिम परन्तुक के अन्तर्गत कनिष्ठ पदधारी प्रोन्नति के लिए अपात्र नहीं समझा जाएगा, यदि वरिष्ठ अपात्र व्यक्ति भूतपूर्व सैनिक है जिसे डिमोबिलाईज्ड आमर्ड फोर्सिज परसोनल (रिजर्वेशन आफ वेकैन्सीज इन हिमाचल स्टेट नान-टैक्नीकल सर्विसीज)रुलज, 1972 के नियम-3 के उपबन्धों के अन्तर्गत भर्ती किया गया हो तथा इनके अन्तर्गत वरीयता लाभ दिए गए हों या जिसे एक्स सर्विसमैन (रिजर्वेशन आफ वेकैन्सीज इन दी हिमाचल प्रदेश टैक्नीकल सर्विसीज)रुलज, 1985 के नियम-3 के प्रावधानों के अन्तर्गत भर्ती किया गया हो व इनके अन्तर्गत वरीयता लाभ दिये गये हों।

(2) इसी प्रकार स्थाईकरण के सभी मामलों में ऐसे पद पर नियमित नियुक्ति से पूर्व सम्भरण पद पर की गई लगातार तदर्थ सेवा, यदि कोई हो, सेवाकाल के लिए गणना में ली जायेगी, यदि ऐसे पद पर तदर्थ नियुक्ति/प्रोन्नति उचित चयन के पश्चात् और भर्ती और प्रोन्नति नियमों के उपबन्धों के अनुसार की गई थी;

परन्तु उपर्युक्त निर्दिष्ट तदर्थ सेवा को गणना में लेने के पश्चात् जो स्थाईकरण होगा उसके फलस्वरूप पारस्परिक वरीयता अपरिवर्तित रहेगी।

12 यदि विभागीय प्रोन्नति समिति विद्यमान हो, तो उसकी संरचना : विभागीय प्रोन्नति समिति की अध्यक्षता हिमाचल प्रदेश लोक सेवा आयोग के अध्यक्ष या उनके द्वारा नामनिर्दिष्ट किए जाने वाले सदस्य द्वारा की जाएगी।

13 भर्ती करने में जिन परिस्थितियों में हिमाचल प्रदेश लोक सेवा आयोग से परामर्श किया जाएगा : जैसा कि विधि द्वारा अपेक्षित है।

14 सीधी भर्ती किये जाने वाले व्यक्तियों के लिए अपेक्षा : किसी सेवा या पद पर नियुक्ति के लिए अभ्यर्थी भारत का नागरिक होना अनिवार्य है।

15 सीधी भर्ती द्वारा पद पर नियुक्ति के लिए चयन : सीधी भर्ती के मामलों में पद पर नियुक्ति के लिए चयन मौखिक परीक्षा के आधार पर किया जाएगा और यदि, यथास्थिति, हिमाचल प्रदेश लोक सेवा आयोग या अन्य भर्ती प्राधिकरण ऐसा करना आवश्यक या समीचीन समझे, लिखित परीक्षा या व्यावहारिक परीक्षा के आधार पर किया जाएगा, जिसका स्तर/पाठ्यक्रम इत्यादि यथास्थिति, आयोग/अन्य भर्ती अभिकरण द्वारा अवधारित किया जाएगा।

15क संविदा नियुक्ति द्वारा पद पर नियुक्ति के लिए चयन :

(I) संकल्पना :

(क) इस पॉलिसी के अधीन निर्वाचन विभाग में प्रोग्रामर को संविदा के आधार पर प्रारम्भ में एक वर्ष की अवधि के लिए लगाया जाएगा जिसे वर्षानुवर्ष आधार पर दो और वर्षों के लिए बढ़ाया जा सकेगा।

(ख) पद का हिमाचल प्रदेश लोक सेवा आयोग के कार्यक्षेत्र में आना: सचिव (निर्वाचन) एवं मुख्य निर्वाचन अधिकारी, हिमाचल प्रदेश रिक्त पदों को संविदा के आधार पर भरने के लिए सरकार का अनुमोदन प्राप्त करने के पश्चात् अध्यपेक्षा को सम्बद्ध भर्ती अभिकरण अर्थात् हिमाचल प्रदेश लोक सेवा आयोग के समक्ष रखेगा।

(ग) चयन इन नियमों में विहित पात्रता शर्तों के अनुसार किया जाएगा।

(घ) इन नियमों के अधीन इस प्रकार चयनित संविदा पर नियुक्त व्यक्ति को सरकारी सेवा (जॉब) में नियमितिकरण या स्थाई आमेसन का दावा करने का कोई अधिकार नहीं होगा।

(II) देय उपलब्धियां : संविदा के आधार पर नियुक्त प्रोग्रामर को 10830/-रुपए की दर से समेकित नियत संविदात्मक रकम (जोकि प्रारम्भिक वेतनमान जमा मंहगाई वेतन के बराबर होगी) प्रतिमास संदत्त की जाएगी। यदि संविदा में एक वर्ष से अधिक की बढ़ौत्तरी की जाती है तो क्रमशः द्वितीय और तृतीय वर्ष के लिए संविदात्मक उपलब्धियों में 220/-रुपए की वार्षिक बृद्धि अनुज्ञात की जाएगी।

(III) नियुक्ति/अनुशासनिक प्राधिकारी : सचिव (निर्वाचन) एवं मुख्य निर्वाचन अधिकारी, हिमाचल प्रदेश नियुक्ति/अनुशासनिक प्राधिकारी होगा।

(IV) चयन प्रक्रिया : संविदा पर नियुक्ति/भर्ती की दशा में पद पर नियुक्ति के लिए चयन मौखिक परीक्षा के आधार पर किया जाएगा या यदि ऐसा करना आवश्यक या समीचीन समझा जाए तो लिखित परीक्षा या व्यवहारिक परीक्षा के आधार पर किया जाएगा, जिसका स्तर/पाठयक्रम इत्यादि सम्बन्धित भर्ती अभिकरण अर्थात् हिमाचल प्रदेश लोक सेवा आयोग द्वारा अवधारित किया जाएगा।

(V) संविदात्मक नियुक्तियों के लिए चयन समिति : जैसी सम्बन्धित भर्ती अभिकरण अर्थात् हिमाचल प्रदेश लोक सेवा आयोग द्वारा समय-समय पर गठित की जाए।

(VI) करार : अभ्यर्थी को चयन के पश्चात् इन नियमों से संलग्न उपाबन्ध-ख के अनुसार करार हस्ताक्षरित करना होगा।

(VII) निबन्धन और शर्तें : (क) संविदा पर नियुक्त व्यक्ति को 10830/-रुपए की दर से समेकित नियत संविदात्मक रकम (जोकि प्रारम्भिक वेतनमान जमा मंहगाई वेतन के बराबर होगी) प्रतिमास संदत्त की जाएगी। संविदा पर नियुक्त व्यक्ति, क्रमशः द्वितीय और तृतीय वर्ष के लिए संविदात्मक रकम में प्रतिवर्ष 220/-रुपए की दर से बृद्धि का हकदार होगा। और कोई अन्य सहबद्ध प्रसुविधाएं जैसे वरिष्ठ/चयन वेतनमान आदि प्रदान नहीं की जाएगी।

(ख) संविदा पर नियुक्त व्यक्ति की सेवा पूर्णतः अस्थायी आधार पर होगी। यदि संविदा पर नियुक्त व्यक्ति का कार्य/आचरण ठीक नहीं पाया जाता है तो नियुक्ति समाप्त किए जाने के लिए दायी होगी।

(ग) संविदा पर नियुक्त पदधारी को किसी भी दशा में सेवा में नियमितिकरण का कोई अधिकार प्रदान नहीं करेगी।

(घ) संविदा पर नियुक्त व्यक्ति एक मास की सेवा पूरी करने के पश्चात् एक दिन के आकस्मिक अवकाश का हकदार होगा। यह अवकाश एक वर्ष तक संचित किया जा सकेगा। संविदा पर नियुक्त व्यक्ति को किसी भी प्रकार का अन्य कोई अवकाश अनुज्ञेय नहीं होगा। वह चिकित्सा प्रतिपूर्ति और एल.टी.सी. इत्यादि के लिए हकदार नहीं होगा/होगी। केवल प्रसूति प्रसुविधा अधिनियम, 1961 के अधीन प्रसूती अवकाश दिया जाएगा।

- (ड.) नियन्त्रण अधिकारी के अनुमोदन के बिना सेवा से अनाधिकृत अनुपस्थिति से स्वतः ही संविदा की समाप्ति (पर्यावसान) हो जाएगी। संविदा पर नियुक्त व्यक्ति कर्तव्य से अनुपस्थिति की अवधि के लिए संविदात्मक रकम का हकदार नहीं होगा।
- (च) संविदा पर नियुक्त व्यक्ति का एक स्थान से दूसरे स्थान के लिए स्थानान्तरण किसी भी दशा में अनुज्ञात नहीं किया जाएगा।
- (छ) चयनित अभ्यर्थी को सरकारी/रजिस्ट्रीकृत चिकित्सा व्यवसायी से अपना आरोग्य प्रमाण-पत्र प्रस्तुत करना होगा। बारह सप्ताह से अधिक समय से गर्भवती महिला अभ्यर्थी प्रसव होने तक अस्थाई तौर पर अनुपयुक्त समझी जाएगी। महिला अभ्यर्थी का किसी प्राधिकृत चिकित्सा अधिकारी/व्यवसायी द्वारा उपयुक्तता के लिए पुनः निरीक्षण किया जाएगा।
- (ज) संविदा पर नियुक्त व्यक्ति का यदि अपने पदीय कर्तव्यों के सम्बन्ध में दौरे पर जाना अपेक्षित हो, तो वह उसी दर पर, जैसी नियमित पदधारी को लागू है, वेतनमान के न्यूनतम पर, यात्रा भत्ते/दैनिक भत्ते का हकदार होगा/होगी।

8 नियमित नियुक्ति के लिए दावा करने का अधिकार : इन नियमों के अधीन संविदा के आधार पर लगाए गए अभ्यर्थी को किसी भी अवस्था में विभाग में प्रोग्रामर के रूप में नियमितिकरण/स्थाई आमेसन का दावा करने का कोई अधिकार नहीं होगा।

16 आरक्षण : सेवा में नियुक्ति, हिमाचल प्रदेश सरकार द्वारा समय-समय पर अनुसूचित जातियों/अनुसूचित जनजातियों/ अन्य पिछड़े वर्गों और अन्य प्रवर्गों के व्यक्तियों के लिए सेवा में आरक्षण की बाबत जारी किए गए अनुदेशों के अधीन होगी।

17 विभागीय परीक्षा : सेवा में प्रत्येक सदस्य को विभागीय परीक्षा नियम, 1997 में यथा विहित विभागीय परीक्षा उत्तीर्ण करनी होगी,

18 शिथिल करने की शक्ति : जहां राज्य सरकार की यह राय हो कि ऐसा करना आवश्यक या समीचीन है, वहां वह कारणों को अभिलिखित करके और हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, आदेश द्वारा, इन नियमों के किन्हीं उपबन्धों को किसी वर्ग या व्यक्तियों के प्रवर्ग या पदों की बाबत शिथिल कर सकेगी।

उपाबन्ध—“ख”

प्रोग्रामर और हिमाचल प्रदेश सरकार के मध्य सचिव (निर्वाचन) एवं मुख्य निर्वाचन अधिकारी, हिमाचल प्रदेश के माध्यम से निष्पादित की जाने वाली संविदा/करार का प्रारूप

यह करार श्री/श्रीमती.....पुत्र/पुत्री श्री.....
निवासी..... संविदा पर नियुक्त व्यक्ति (जिसे इसमें इसके पश्चात् ‘प्रथम पक्षकार’ कहा गया है), और हिमाचल प्रदेश के राज्यपाल के मध्य सचिव (निर्वाचन) एवं मुख्य निर्वाचन अधिकारी, हिमाचल प्रदेश, (जिसे इसमें इनके पश्चात् ‘द्वितीय पक्षकार’ कहा गया है) के माध्यम से आज तारीख.....को किया गया।

‘द्वितीय पक्षकार’ ने उपरोक्त ‘प्रथम पक्षकार’ को लगाया है और ‘प्रथम पक्षकार’ ने प्रोग्रामर के रूप में संविदा के आधार पर निम्नलिखित निबन्धन और शर्तों पर सेवा करने के लिए सहमति दी है:-

1 यह कि 'प्रथम पक्षकार' प्रोग्रामर के रूप में.....से प्रारम्भ होने औरको समाप्त होने वाले दिन तक एक वर्ष की अवधि के लिए 'द्वितीय पक्षकार' की सेवा में रहेगा। यह विनिर्दिष्ट रूप से उल्लिखित किया गया है और दोनों पक्षकारों द्वारा करार पाया गया है कि प्रथम पक्षकार की द्वितीय पक्षकार के साथ संविदा, आखिरी कार्य दिवस को अर्थात्.....दिन को स्वयमेव ही पर्यावसित (समाप्त) समझी जाएगी और सूचना नोटिस आवश्यक नहीं होगी।

2 प्रथम पक्षकार का संविदा वेतन 10830/-रुपए प्रतिमास होगा।

3 प्रथम पक्षकार की सेवा बिल्कुल अस्थायी आधार पर होगी। यदि संविदा पर नियुक्त व्यक्ति का कार्य/आचरण ठीक नहीं पाया जाता है या यदि नियमित पदधारी उस रिक्ति के विरुद्ध नियुक्त/तैनात कर दिया जाता है जिसके लिए प्रथम पक्षकार को संविदा पर लगाया गया था तो नियुक्ति समाप्त (पर्यावसित) की जाने के लिए दायी होगी।

4 संविदात्मक नियुक्त पदधारी को किसी भी दशा में सेवा में नियमितिकरण के लिए कोई अधिकार प्रदान नहीं करेगी।

5 संविदात्मक प्रोग्रामर एक मास की सेवा पूरी करने के पश्चात् एक दिन के आकस्मिक अवकाश का हकदार होगा। यह अवकाश एक वर्ष तक संचित किया जा सकेगा। संविदात्मक प्रोग्रामर को किसी भी प्रकार का अन्य कोई अवकाश अनुज्ञात नहीं होगा। वह चिकित्सा प्रतिपूर्ति और एल.टी.सी. इत्यादि के लिए भी हकदार नहीं होगा/होगी। केवल प्रसूति प्रसुविधा अधिनियम, 1961 के अधीन प्रसूती अवकाश दिया जाएगा।

6 नियन्त्रण अधिकारी के अनुमोदन के बिना कर्तव्य से अनधिकृत अनुपस्थिति से स्वतः ही संविदा का पर्यावसान (समापन) हो जाएगा। संविदात्मक नियुक्त प्रोग्रामर कर्तव्य (कार्य) से अनुपस्थिति की अवधि के लिए संविदात्मक रकम लेने का हकदार नहीं होगा।

7 संविदा के आधार पर नियुक्त अधिकारी का एक स्थान से दूसरे स्थान के लिए स्थानान्तरण किसी भी दशा में अनुज्ञात नहीं होगा।

8 चयनित अभ्यर्थी को सरकारी/रजिस्ट्रीकृत चिकित्सा व्यवसायी से अपना आरोग्य प्रमाण-पत्र प्रस्तुत करना होगा। बारह सप्ताह से अधिक समय से गर्भवती महिला अभ्यर्थी प्रसव होने तक अस्थायी तौर पर अनुपयुक्त समझी जाएगी। महिला अभ्यर्थी का प्राधिकृत चिकित्सा अधिकारी/व्यवसायी द्वारा उपयुक्तता के लिए पुनः निरीक्षण किया जाएगा।

9 संविदा पर नियुक्त व्यक्ति का यदि अपने पदीय कर्तव्यों के सम्बन्ध में दौरे पर जाना अपेक्षित हो, तो वह उसी दर पर, जैसी कि नियमित प्रतिस्थानी पदधारी को लागू है, वेतनमान के न्यूनतम पर, यात्रा भत्ते/दैनिक भत्ते का हकदार होगा/होगी।

10 संविदात्मक नियुक्त व्यक्ति (यों) को सामूहिक जीवन बीमा योजना के साथ-साथ इ.पी.एफ./जी.पी.एफ. भी लागू नहीं होगा।

इसके साक्ष्यस्वरूप प्रथम पक्षकार और द्वितीय पक्षकार ने साक्षियों की उपस्थिति में इसमें सर्वप्रथम उल्लिखित तारीख को अपने-अपने हस्ताक्षर कर दिए हैं।

साक्षी की उपस्थिति में:-

1

.....

(नाम व पूरा पता)

(प्रथम पक्षकार के हस्ताक्षर)

2

.....

(नाम व पूरा पता)

(द्वितीय पक्षकार के हस्ताक्षर)

[Authoritative English text of this Department's Notification No. 5-37/2000-ELN, dated 9-10-2007 as required under Clause (3) of Article-348 of the Constitution of India].

“ELECTION DEPARTMENT”

NOTIFICATION

Shimla-171009, 9TH October, 2007.

No. 5-37/2000-ELN.— In exercise of the powers conferred by proviso to Article-309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is pleased to make the following Recruitment & Promotion Rules for the post of Programmer, Class-I, (Gazetted) as per Annexure-“A” in the Election Department, Himachal Pradesh, namely: -

1 *Short title and commencement :* (1) These Rules may be called the Himachal Pradesh Election Department, Programmer, Class-I, (Gazetted) Recruitment & Promotion Rules, 2007.

(2) These Rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

By order,
MANISHA NANDA,
Secretary.

RECRUITMENT AND PROMOTION RULES FOR THE POST OF PROGRAMMER CLASS-I, (GAZETTED), IN THE DEPARTMENT OF ELECTIONS, HIMACHAL PRADESH.

- 1 *Name of the Post* : Programmer.
- 2 *Number of Post (s)* : 01 (One).
- 3 *Classification* : Class-I, (Gazetted).(Non-Ministerial Services)
- 4 *Scale of Pay* : Rs. 7220 -220-8100-275 -10300-340-11660.
- 5 *Whether “selection” post or “non-selection” post* : Selection.
- 6 *Age for direct recruitment* : 45 years and below.

Provided that the upper age limit for direct recruits will not be applicable to the candidates already in service of the Government including those who have been appointed on adhoc or on contract basis;

Provided further that if a candidate appointed on adhoc basis or on contract basis had become overage on the date when he/she was appointed as such he/she shall not be eligible for any relaxation in the prescribed age limit by virtue of his/her such adhoc or contract appointment;

Provided further that upper age limit is relaxable for Scheduled Castes/Scheduled Tribes/Other categories of persons to the extent permissible under the general or special order(s) of the Himachal Pradesh Government;

Provided further that the employees of all the Public Sector Corporations & Autonomous Bodies who happened to be Government servants before absorption in Public Sector Corporations/Autonomous bodies at the time of initial constitution of such Corporations/Autonomous Bodies shall be allowed age concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the Public Sector Corporations/Autonomous Bodies who were/are subsequently appointed by such Corporations/ Autonomous Bodies and who are/were finally absorbed in the service of such Corporations/Autonomous Bodies after initial constitution of the Public Sector Corporations/Autonomous bodies.

(1) Age limit for direct recruitment will be reckoned on the first day of the year in which the post(s) is/are advertised for inviting applications or notified to the Employment Exchanges or as the case may be.

(2) Age and experience in the case of direct recruitment relaxable at the discretion of the HP Public Service Commission, in case the candidate is otherwise well qualified.

7 *Minimum educational and other qualifications required for direct recruitment :*

(A) Essential Qualifications : Should possess Bachelor Degree in Computer Science or Engineering/Electronics Engineering with specialisation in Computer Programming or MCA from a recognised University.

(B) Desirable Qualification(s) : Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

8 *Whether age and educational qualifications prescribed for direct recruits will apply in the case of the promotee(s)? :* Age. Not applicable.

Educational Qualifications : As prescribed against column No.11

9 *Period of probation, if any :* Two years, subject to such further extension for a period not exceeding one year as may be ordered by the Competent Authority in special circumstances and reasons to be recorded in writing.

10 *Method of recruitment— whether by direct recruitment or by promotion, secondment, transfer and the percentage of post(s) to be filled in by various methods :* 100% by promotion failing which by direct recruitment or on contract basis failing both by secondment basis.

11 *In case of recruitment by promotion, secondment, transfer, grades from which promotion/ deputation, transfer is to be made :* By promotion from amongst the Computer Operators having 3 years degree in Computer applications and also possess 10 years regular service or regular com bined with continuous adhoc service rendered, if any, in the grade failing which by secondment from the incumbents of this post working in the identical pay scale in other Govt. Department:

Note : (1) In all cases of promotion, the continuous adhoc service rendered in the feeder post, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition that the adhoc appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of Recruitment and Promotion Rules, Provided that:-

In all cases where a junior person becomes eligible for consideration by virtue of his/her total length of service (including the service rendered on adhoc basis, followed by regular service/appointment) in the feeder post in view of the provisions referred to above, all persons senior to him/her in the respective category/post/cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration.

Provided further that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and Promotion Rules for the post, whichever is less;

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him/her shall also be deemed to be ineligible for consideration for such promotion.

Explanation : The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be Ex- Servicemen recruited under the provisions of Rule 3 of the Demobilized Armed Forces Personnel (Reservation of Vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule 3 of the Ex-Servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.

(2) Similarly, in all cases of confirmation, continuous adhoc service rendered on the feeder post, if any, prior to the regular appointment against such post shall be taken into account towards the length of service, if the adhoc appointment/ promotion had been made after proper selection and in accordance with provision of the Recruitment and Promotion Rules.

Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service rendered as referred to above shall remain unchanged.

12 *If a Departmental Promotion Committee exists, what is its composition?* : To be presided over by the Chairman, HP Public Service Commission or a Member thereof to be nominated by him.

13 *Circumstances under which the Himachal Pradesh Public Service Commission is to be consulted in making recruitment* : As required under the law.

14 *Essential requirement for a direct recruitment* : A candidate for appointment to any service or post must be a citizen of India.

15 *Selection for appointment to post by direct recruitment* : Selection for appointment to the post in the case of direct recruitment shall be made on the basis of viva-voce test, and if the Himachal Pradesh Public Service Commission or other recruiting authority, as the case may be, so consider necessary or expedient, by a written test or a practical test, the standard/syllabus etc. of which will be determined by the Commission/other recruiting authority, as the case may be.

15-A Selection for appointment to post by contract appointment :

(I) CONCEPT :

- (a) Under this policy the Programmer in Department of Elections, H.P. will be engaged on contract basis initially for one year, which may be extendable for two more years on year to year basis.
- (b) POST FALLS WITHIN THE PURVIEW OF HPPSC:-The Secretary (Elections)-cum -Chief Electoral Officer, H.P. after obtaining the approval of the Govt. to fill up the vacant posts on contract basis will place the requisition with the concerned recruiting agency i.e. H.P.Public Service Commission.
- (c) The selection will be made in accordance with the eligibility conditions prescribed in these Rules.

- (d) Contract appointee so selected under these Rules will not have any right to claim for regularisation or permanent absorption in Government job.

(II) EMOLUMENTS PAYABLE : The Programmer appointed on contract basis will be paid consolidated fixed contractual amount @ Rs.10830/-P.M.(which shall be equal to initial of the pay scale + Dearness Pay). An amount of Rs. 220/- as per annual increase in contractual emoluments for the second and third years respectively will be allowed if contract is extended beyond one year.

(III) APPOINTING/DISCIPLINARY AUTHORITY : The Secretary (Elections)-cum Chief Electoral Officer, Himachal Pradesh will be the Appointing and Disciplinary Authority.

(IV) SELECTION PROCESS : Selection for appointment to the post in the case of Contract Appointment will be made on the basis of viva-voce test or if considered necessary or expedient by a written test or practical test the standard /syllabus etc. of which will be determined by the concerned recruiting agency i.e. H. P. Public Service Commission.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENT : As may be constituted by the concerned recruiting agency i.e. HPPSC. from time to time.

(VI) AGREEMENT : After selection of a candidate, he/she shall sign an agreement as per Annexure-“B” appended to these rules.

(VII) TERMS AND CONDITIONS : (a) The contract appointee will be paid consolidated fixed contractual amount @ Rs.10830/-P.M. (which shall be equal to initial of the pay scale + Dearness Pay). The Contract Appointee will be entitled for increase in contractual amount @ Rs. 220/- per annum for second and third years respectively and no other allied benefits such as senior/selection scales etc. shall be given.

(b) The service of the Contract Appointee will be purely on temporary basis. The appointment is liable to be terminated in case the performance/conduct of the contract appointee is not found satisfactory.

(c) Contractual appointment shall not confer any right to incumbent for the regularization in the service at any stage.

(d) Contract appointee will be entitled for one day casual leave after putting one month service. This leave can be accumulated upto one year. No leave of any other kind is admissible to the contract appointee. He/She will not be entitled for Medical Reimbursement & LTC etc. Only maternity Leave will be given as per Maternity Benefit Act, 1961.

(e) Unauthorized absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the contract. Contract appointee shall not be entitled for contractual amount for the period of absence from duty.

(f) Transfers of contract appointee will not be permitted from one place to another in any case.

(g) Selected candidate will have to submit a certificate of his /her fitness from a Govt. /Registered Medical Practitioner. Women candidate, pregnant beyond 12 weeks will stand temporarily unfit till the confinement is over. The women candidate will be re-examined for the fitness from an authorized Medical Officer/ Practitioner.

- (h) Contract appointee will be entitled to TA/DA if required to go on tour in connection with his /her official duties at the same rate as applicable to regular officials at the minimum of the pay scale.

(VIII)RIGHT TO CLAIM REGULAR APPOINTMENT : The candidate engaged on contract basis under these rules has no right to claim regularisation/permanent absorption as Programmer in the department at any stage.

16 Reservation : The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes /Scheduled Tribes/Other Backward Classes/Other Categories of persons issued by the Himachal Pradesh Government from time to time.

17 Departmental Examination : Every member of the service shall pass the Departmental Examination as prescribed in the H.P. Departmental Examination Rules, 1997.

18 Powers to relax : Where the State Government is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing and in consultation with the H.P.P.S.C., relax any of the provision(s) of these Rules with respect to any class or category of persons or post(s).

Annexure-“B”

FORM OF CONTRACT/AGREEMENT TO BE EXECUTED BETWEEN THE PROGRAMMER AND THE GOVERNMENT OF HIMACHAL PRADESH THROUGH SECRETARY(ELECTIONS) -CUM-CHIEF ELECTORAL OFFICER,HIMACHAL PRADESH.

This agreement is made on this _____ day of _____ in the year _____ between Shri/Smt./Km. _____ S/o/W/o/D/o Shri. _____ R/o _____

_____ Contract appointee (here-in-after called the FIRST PARTY). AND The Governor, Himachal Pradesh through Secretary(Elections) –cum Chief Electoral Officer, Himachal Pradesh (here-in-after the SECOND PARTY).

Whereas, the SECOND PARTY has engaged the aforesaid FIRST PARTY and the FIRST PARTY has agreed to serve as a Programmer on contract basis on the following terms and conditions:-

1 That the FIRST PARTY shall remain in the service of the SECOND PARTY as Programmer for a period of one years commencing on the day of _____ and ending on the day of _____. It is specifically mentioned and agreed upon by both the parties that the contract of the FIRST PARTY with SECOND PARTY shall ipso-facto stand terminated on the last working day i.e. on _____ and information notice shall not be necessary.

2 The contract salary of the FIRST PARTY will be Rs.10830/- per month.

3 The service of FIRST PARTY will be purely on temporary basis. The appointment is liable to be terminated in case the performance /conduct of the contract appointee is not found good or if a regular incumbent is appointed /posted against the vacancy for which the first party was engaged on contract.

4 The contractual appointment shall not confer any right to incumbent for the regular service at any stage.

5 Contractual Programmer will be entitled for one day casual leave after putting one month service. This leave can be accumulated upon one year. No leave of any kind is admissible to the contractual Programmer. He will not be entitled for Medical Reimbursement and LTC etc. Only maternity leave will be given as per Maternity Benefit Act, 1961.

6 Unauthorized absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the contract. A contractual Programmer will not be entitled for contractual amount for the period of absence from duty.

7 Transfer of an officer pointed on contract basis will not be permitted from one place to another in any case.

8 Selected candidate will have to submit a certificate of his/her fitness from a Government /Registered Medical Practitioner. In case of Women candidates pregnant beyond twelve weeks will render his temporarily unfit the confinement is over. The woman candidate should be re-examined for fitness from an authorized Medical Officer/Practitioner.

9 Contract appointee shall be entitled to TA/DA if required to go on tour in connection with his official duties at the same rate as applicable to regular counter-part official at the minimum of the pay scale.

10 The Employees Group Insurance Scheme as well as EPF/GPF will not be applicable to contractual appointee(s).

IN WITNESS the FIRST PARTY AND SECOND PARTY have herein to set their hands the day, month and year first, above written.

IN THE PRESENCE OF WITNESS:

1. _____

(Name and full address)

(Signature of the FIRST PARTY)

2. _____

(Name and full address)

(Signature of the SECOND PARTY)

निर्वाचन विभाग**अधिसूचना**

शिमला-171009, 8 अक्टूबर, 2007

संख्या : 5-24/86-ई.एल.एन.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद-309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, हिमाचल प्रदेश निर्वाचन विभाग में लिपिक, वर्ग-प्प (अराजपत्रित) पद के लिए इस अधिसूचना से संलग्न उपाबन्ध-“क” के अनुसार निम्नलिखित भर्ती और प्रोन्नति नियम बनाते हैं, अर्थात् :-

1. **संक्षिप्त नाम और प्रारम्भ :** (1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश निर्वाचन विभाग, लिपिक, वर्ग-III (अराजपत्रित) भर्ती और प्रोन्नति नियम, 2007 है।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

2. **निरसन एवं व्यावृत्तियां :** (1) अधिसूचना संख्या:पर(एपी-II)ए(3)2/84, तारीख 13-11-1984 द्वारा अधिसूचित हिमाचल प्रदेश वर्ग-III सेवाएं (लिपिक/आशुटकक/सांख्यिकी सहायक) भर्ती एवं प्रोन्नति नियम, 1984 का एतद्वारा उस विस्तार तक निरसन किया जाता है जहां तक कि ये निर्वाचन विभाग में लिपिक के पद को लागू हैं।

(2) ऐसे निरसन के होते हुए भी उपर्युक्त उप नियम(1) के अधीन इस प्रकार निरसित नियमों के अधीन की गई कोई नियुक्ति, बात या कार्रवाई इन नियमों के अधीन विधिमान्य रूप में की गई समझी जाएगी।

आदेश द्वारा,
मनीषा नन्दा
सचिव।

उपाबन्ध-“क”

हिमाचल प्रदेश निर्वाचन विभाग में लिपिक, वर्ग-III (अराजपत्रित) पद के भर्ती और प्रोन्नति नियम।

1	पद का नाम	लिपिक
2	पदों की संख्या	77(सतहत्तर)
3	वर्गीकरण	वर्ग-प्प (अराजपत्रित) (लिपिक वर्गीय सेवाएं)
4	वेतनमान	3120-100-3220-110-3660-120-4260-140-4400- 150-5000-160-5160 रूपए। (प्रारम्भिक आरम्भ 3220/-रूपए के साथ)
5	चयन पद अथवा अचयन	अचयन।
6	सीधी भर्ती के लिए आयु	18 से 45 वर्ष। परन्तु सीधी भर्ती के लिए ऊपरी आयु सीमा तदर्थ या संविदा पर नियुक्त किए गए पहले से सरकार की सेवा में नियुक्त अभ्यर्थियों पर लागू नहीं होगी;

		<p>परन्तु यह और कि यदि तदर्थ आधार और संविदा आधार पर नियुक्त अभ्यर्थी इस रूप में नियुक्ति की तारीख को अधिक आयु का हो गया हो तो वह तदर्थ या संविदा के आधार पर नियुक्ति के कारण विहित आयु में छूट के लिए पात्र नहीं होगा;</p> <p>परन्तु यह और कि अनुसूचित जातियों/ अनुसूचित जनजातियों तथा अन्य वर्गों के व्यक्तियों के लिए उच्चतम आयु में उतनी ही छूट दी जा सकेगी जितनी हिमाचल प्रदेश सरकार के साधारण या विशेष आदेशों के अधीन अनुज्ञेय है;</p> <p>परन्तु यह और भी कि पब्लिक सैक्टर निगमों तथा स्वायत्त निकायों के सभी कर्मचारियों को जो ऐसे पब्लिक सैक्टर, निगमों/स्वायत्त निकायों के प्रारम्भिक गठन के समय ऐसे पब्लिक सैक्टर, निगमों/स्वायत्त निकायों में आमेलन से पूर्व सरकारी कर्मचारी थे, सीधी भर्ती में आयु की सीमा में ऐसी ही रियायत दी जाएगी जैसी सरकारी कर्मचारियों को अनुज्ञेय है, किन्तु इस प्रकार की रियायत पब्लिक सैक्टर निगमों तथा स्वायत्त निकायों के ऐसे कर्मचारीवृन्द को नहीं दी जाएगी जो पश्चात्पूर्वी ऐसे निगमों/स्वायत्त निकायों द्वारा नियुक्त किए गए थे/ किए गए हैं और उन पब्लिक सैक्टर, निगमों/स्वायत्त निकायों के प्रारम्भिक गठन के पश्चात् ऐसे निगमों/स्वायत्त-निकायों की सेवा में अन्तिम रूप से आमेलित किए गए हैं/किए गए थे।</p> <p>(1) सीधी भर्ती के लिए आयु सीमा की गणना उस वर्ष के प्रथम दिवस से की जाएगी जिसमें पद (पदों) को, यथास्थिति, आवेदन आमन्त्रित करने के लिए विज्ञापित किया जाता है या नियोजनालयों को अधिसूचित किया जाता है।</p> <p>(2) अन्यथा सुअर्हित अभ्यर्थियों की दशा में सीधी भर्ती के लिए आयु सीमा और अनुभव हिमाचल प्रदेश लोक सेवा आयोग के विवेकानुसार शिथिल किया जा सकेगा।</p> <p>परन्तु यह और भी कि संविदा नियुक्ति के मामले में पूर्ववर्ती पैरों में निर्दिष्ट किए गए उपबन्ध लागू नहीं होंगे।</p>
7	सीधी भर्ती के लिए अपेक्षित न्यूनतम शैक्षिक और अन्य अर्हताएं।	<p>अनिवार्य:</p> <p>(i) किसी मान्यता प्राप्त बोर्ड/विश्वविद्यालय से द्वितीय श्रेणी में दसवीं या दस जमा दो की परीक्षा पास हो या इसके समकक्ष।</p> <p>(ii) अंग्रेजी टंकण में 30 शब्द प्रति मिनट या हिन्दी टंकण में 25 शब्द प्रति मिनट की न्यूनतम गति रखता हो।</p>
		<p>वांछनीय:</p> <p>हिमाचल प्रदेश की रुढ़ियों, रीतियों और बोलियों का ज्ञान और प्रदेश में विद्यमान विशिष्ट दशाओं में नियुक्ति के लिए उपयुक्तता।</p>
8	सीधी भर्ती किए जाने वाले व्यक्तियों के लिए विहित आयु और शैक्षिक अर्हता प्रोन्नति की दशा में लागू होगी या नहीं।	<p>आयु : लागू नहीं।</p> <p>शैक्षिक अर्हता : जैसा स्तम्भ संख्या-11 में यथा विहित है।</p>
9	परिवीक्षा की अवधि, यदि कोई हो।	<p>दो वर्ष, जिसका एक वर्ष से अनधिक ऐसी और अवधि के लिए विस्तार किया जा सकेगा जैसा सक्षम प्राधिकारी विशेष परिस्थितियों में और लिखित कारणों से आदेश दें।</p>

10	भर्ती की पद्धति : भर्ती सीधी होगी या प्रोन्नति, प्रतिनियुक्ति, स्थाना-न्तरण द्वारा और विभिन्न पद्धतियों द्वारा भरे जाने वाले पदों की प्रतिशतता।	<p>(i) नब्बे प्रतिशत सीधी भर्ती द्वारा या संविदा के आधार पर।</p> <p>(ii) दस प्रतिशत प्रोन्नति द्वारा, ऐसा न होने पर सीधी भर्ती द्वारा या संविदा के आधार पर।</p>
11	प्रोन्नति, प्रतिनियुक्ति या स्थानान्तरण की दशा में श्रेणियां (ग्रेड), जिनसे प्रोन्नति, प्रतिनियुक्ति, स्थानान्तरण किया जाएगा।	<p>चतुर्थ श्रेणी कर्मचारियों में से प्रोन्नति द्वारा, जो दसवीं पास हो या जिन्होंने मैट्रिक के अंग्रेजी विषय सहित हिन्दी (रत्न) पास किया हो, और जिनका पांच वर्ष का नियमित सेवाकाल या ग्रेड में की गई लगातार तदर्थ सेवा, यदि कोई हो, को सम्मिलित करके पांच वर्ष का संयुक्त नियमित सेवाकाल हो।</p> <p>परन्तु करुणामूलक आधार पर इस प्रकार प्रोन्नत या नियुक्त वर्ग-IV कर्मचारियों के पदधारियों को, जो ऐसी नियुक्ति के समय मैट्रिक पास (तृतीय श्रेणी) या मैट्रिक के केवल अंग्रेजी विषय सहित हिन्दी (रत्न) पास की शैक्षिक अर्हताएं रखते हों, वरिष्ठ सहायक के पद पर उनकी अगली प्रोन्नति के लिए तब तक विचार में नहीं लिया जाएगा जब तक कि वे उपरोक्त स्तम्भ-7 में सीधी भर्ती के लिए विहित न्यूनतम शैक्षिक अर्हताएं नहीं रखते हों।</p> <p>परन्तु लिपिक के रूप में प्रोन्नत सभी ऐसे वर्ग-IV कर्मचारियों को परिवीक्षा अवधि के दौरान अंग्रेजी टंकण में कम से कम 30 शब्द प्रति मिनट की गति से या हिन्दी टंकण में 25 शब्द प्रति मिनट की गति से टंकण परीक्षा पास करनी होगी जो सम्बद्ध विभाग द्वारा संचालित की जाएगी और पदधारियों को परिवीक्षा अवधि के दौरान तीन अवसर प्रदान किए जाएंगे। यदि अभ्यर्थी विहित अवधि के भीतर टंकण परीक्षा को उत्तीर्ण करने में असफल रहते हैं तो उनकी परिवीक्षा अवधि बढ़ा दी जाएगी। इस अवधि के दौरान पदधारी को एक और अवसर दिया जाएगा। यदि अभ्यर्थी बढ़ाई गई अवधि में भी टंकण परीक्षा पास न कर सके तो वे लिपिक से वर्ग-IV कर्मचारी के पद पर प्रतिवर्तित कर दिए जाएंगे।</p> <p>प्रोन्नति के प्रयोजन के लिए वर्ग-IV कर्मचारियों की, उनके सेवाकाल के आधार पर उनकी संवर्गवार पारस्परिक वरिष्ठता को छोड़े बिना, एक संयुक्त वरिष्ठता सूची विहित की जाएगी।</p> <p>(1) प्रोन्नति के मामलों में पद पर नियमित नियुक्ति से पूर्व सम्भरण पद में लगातार तदर्थ सेवा, यदि कोई हो, प्रोन्नति के लिए इन नियमों में यथाविहित सेवाकाल के लिए, इस शर्त के अधीन रहते हुए गणना में ली जाएगी, कि सम्भरण प्रवर्ग में तदर्थ नियुक्ति/प्रोन्नति भर्ती और प्रोन्नति नियमों के उपबन्धों के अनुसार चयन की उचित स्वीकार्य प्रक्रिया को अपनाने के पश्चात् की गई थी; परन्तु यह :-</p> <p>(क) कि उन सभी मामलों में, जिनमें कोई कनिष्ठ व्यक्ति सम्भरण पद में अपने कुल सेवाकाल के आधार पर</p>

		<p>उपर्युक्त निर्दिष्ट उपबन्धों के कारण विचार किए जाने का पात्र हो जाता है वहां अपने-अपने प्रवर्ग/पद/कांडर में उससे वरिष्ठ सभी व्यक्ति विचार किए जाने के पात्र समझे जाएंगे और विचार करते समय कनिष्ठ व्यक्ति से ऊपर रखे जाएंगे ;</p> <p>परन्तु उन सभी पदाधिकारियों, जिन पर प्रोन्नति के लिए विचार किया जाना है, की कम से कम तीन वर्ष की न्यूनतम अर्हता सेवा या पद के भर्ती और प्रोन्नति नियमों में विहित सेवा, जो भी इनमें से कम हो, होगी ;</p> <p>परन्तु यह और भी कि जहां कोई व्यक्ति पूर्वगामी परन्तुक की अपेक्षाओं के कारण प्रोन्नति किए जाने सम्बन्धी विचार के लिए अपात्र हो जाता है, वहां उससे कनिष्ठ व्यक्ति भी ऐसी प्रोन्नति के विचार के लिए अपात्र समझा जाएगा।</p> <p>स्पष्टीकरण :</p> <p>अन्तिम परन्तुक के अन्तर्गत कनिष्ठ पदधारी प्रोन्नति के लिए अपात्र नहीं समझा जाएगा, यदि वरिष्ठ अपात्र व्यक्ति भूतपूर्व सैनिक है और जिसे डिमोवलाईज्ड आमर्ड फोर्सिज परसोनल (रिजर्वेशन आफ वेकैन्सीज इन हिमाचल स्टेट नान-टैक्नीकल सर्विसीज)रूल्ज, 1972 के नियम-3 के प्रावधानों के अन्तर्गत भर्ती किया गया हो तथा इनके अन्तर्गत वरीयता लाभ दिए गए हों या जिसे एक्स सर्विसमैन (रिजर्वेशन आफ वेकैन्सीज इन दी हिमाचल प्रदेश टैक्नीकल सर्विसीज) रूल्ज, 1985 के नियम-3 के प्रावधानों के अन्तर्गत भर्ती किया गया हो व इनके अन्तर्गत वरीयता लाभ दिए गए हों।</p> <p>(2) इसी प्रकार स्थाईकरण के सभी मामलों में ऐसे पद पर नियमित नियुक्ति से पूर्व सम्भरण पद पर की गई लगातार तदर्थ सेवा, यदि कोई हो, सेवाकाल के लिए गणना में ली जाएगी, यदि ऐसे पद पर तदर्थ नियुक्ति/प्रोन्नति उचित चयन के पश्चात् और भर्ती और प्रोन्नति नियमों के उपबन्धों के अनुसार की गई थी ;</p> <p>परन्तु उपर्युक्त निर्दिष्ट तदर्थ सेवा को गणना में लेने के पश्चात् जो स्थाईकरण होगा उसके फलस्वरूप पारस्परिक वरीयता अपरिवर्तित रहेगी।</p>
12	यदि विभागीय प्रोन्नति समिति विद्यमान हो तो उसकी संरचना ?	जैसी सरकार द्वारा समय-समय पर गठित की जाए।
13	भर्ती करने में जिन परिस्थितियों में हिमाचल प्रदेश लोक सेवा आयोग से परामर्श किया जाएगा।	जैसा विधि द्वारा अपेक्षित हो।
14	सीधी भर्ती के लिए अनिवार्य अपेक्षा।	किसी सेवा या पद पर नियुक्ति के लिए अभ्यर्थी का भारत का नागरिक होना अनिवार्य है।

15	सीधी भर्ती द्वारा पद पर नियुक्ति के लिए चयन	सीधी भर्ती के मामलों में पद पर नियुक्ति के लिए चयन, मौखिक परीक्षा के आधार पर किया जाएगा। यदि भर्ती प्राधिकरण ऐसा करना आवश्यक या समीचीन समझे, तो लिखित परीक्षा या व्यवहारिक परीक्षा के आधार पर किया जाएगा जिसका स्तर/पाठ्यक्रम भर्ती प्राधिकरण द्वारा अवधारित किया जाएगा।
15 ए	संविदा नियुक्ति द्वारा पद पर नियुक्ति के लिए चयन।	<p>I संकल्पना:</p> <p>(क) इस पॉलिसी के अधीन निर्वाचन विभाग में लिपिक को संविदा के आधार पर प्रारम्भ में एक वर्ष की अवधि के लिए लगाया जाएगा जिसे वर्षानुवर्ष आधार पर दो और वर्षों के लिए बढ़ाया जा सकेगा।</p> <p>(ख) पद का हिमाचल प्रदेश अधीनस्थ सेवाएं चयन बोर्ड के कार्यक्षेत्र में आना: मुख्य निर्वाचन अधिकारी, हिमाचल प्रदेश, रिक्त पदों को संविदा के आधार पर भरने के लिए सरकार का अनुमोदन प्राप्त करने के पश्चात् अध्यापिका को सम्बद्ध भर्ती अभिकरण अर्थात् हिमाचल प्रदेश अधीनस्थ सेवाएं चयन बोर्ड के समक्ष रखेगा।</p> <p>(ग) चयन, इन नियमों में विहित पात्रता शर्तों के अनुसार किया जाएगा।</p> <p>(घ) इन नियमों के अधीन इस प्रकार चयनित संविदा पर नियुक्त व्यक्ति को सरकारी सेवा (जॉब) में नियमितिकरण या स्थाई आमेहन का दावा करने का कोई अधिकार नहीं होगा।</p> <p>II संविदात्मक उपलब्धियां :</p> <p>संविदा के आधार पर नियुक्त लिपिक को मुबलिग 4830/—रूपए की दर से समेकित नियत संविदात्मक रकम (जो वेतनमान के आरम्भिक जमा मंहगाई वेतन के बराबर होगी) प्रतिमास संदत्त की जाएगी। यदि संविदा में एक वर्ष से अधिक की बढ़ौत्तरी की जाती है तो क्रमशः द्वितीय और तृतीय वर्ष के लिए संविदात्मक उपलब्धियों में 110/—रूपए की वार्षिक वृद्धि अनुज्ञात की जाएगी।</p> <p>III नियुक्ति/अनुशासनिक प्राधिकारी : मुख्य निर्वाचन अधिकारी, हिमाचल प्रदेश नियुक्ति/अनुशासन प्राधिकारी होगा।</p> <p>IV चयन प्रक्रिया : संविदा नियुक्ति की दशा में पद पर नियुक्ति के लिए चयन, मौखिक परीक्षा के आधार पर किया जाएगा या यदि ऐसा करना आवश्यक या समीचीन समझा जाए तो लिखित परीक्षा या व्यवहारिक परीक्षा के आधार पर किया जाएगा, जिसका स्तर/पाठ्यक्रम इत्यादि सम्बद्ध भर्ती अभिकरण अर्थात् हिमाचल प्रदेश अधीनस्थ सेवाएं चयन बोर्ड द्वारा अवधारित किया जाएगा।</p> <p>V संविदात्मक नियुक्तियों के लिए चयन समिति : जैसी सम्बद्ध भर्ती अभिकरण अर्थात् हिमाचल प्रदेश अधीनस्थ सेवाएं चयन बोर्ड द्वारा समय-समय पर गठित की जाए।</p>

		<p>VI करार : अभ्यर्थी को चयन के पश्चात् इन नियमों से संलग्न उपाबन्ध-ख के अनुसार करार हस्ताक्षरित करना होगा।</p> <p>VII निबन्धन एवं शर्तें : (क) संविदा के आधार पर नियुक्त व्यक्ति को 4830/-रूपए की दर से समेकित नियम संविदात्मक रकम (जो वेतनमान का आरम्भिक जमा मंहगाई वेतन के बराबर होगी) प्रतिमास संदत्त की जाएगी। संविदा पर नियुक्त व्यक्ति, क्रमशः द्वितीय और तृतीय वर्ष के लिए संविदात्मक रकम में 110/-रूपए की दर से वार्षिक वृद्धि का हकदार होगा और कोई अन्य सहबद्ध प्रसुविधाएं जैसे वरिष्ठ/चयन वेतनमान आदि नहीं दिया जाएगा।</p> <p>(ख) संविदा पर नियुक्त व्यक्ति की सेवा पूर्णतः अस्थाई आधार पर होगी। नियुक्ति समाप्त किए जाने के लिए दायी होगी यदि संविदा पर नियुक्त व्यक्ति का कार्य/आचरण ठीक नहीं पाया जाता है।</p> <p>(ग) संविदात्मक नियुक्ति, पदधारी को किसी भी दशा में सेवा में नियमितिकरण का कोई अधिकार प्रदान नहीं करेगी।</p> <p>(घ) संविदा पर नियुक्त व्यक्ति एक मास की सेवा पूरी करने के पश्चात् एक दिन के आकस्मिक अवकाश का हकदार होगा। यह अवकाश एक वर्ष तक संचित किया जा सकेगा। संविदा पर नियुक्त व्यक्ति को किसी भी प्रकार का अन्य कोई अवकाश अनुज्ञात नहीं होगा। वह चिकित्सा प्रतिपूर्ति और एल.टी.सी. इत्यादि के लिए हकदार नहीं होगा/होगी। केवल प्रसूति प्रसुविधा अधिनियम, 1961 के अधीन प्रसूती अवकाश दिया जाएगा।</p> <p>(ङ.) नियन्त्रण अधिकारी के अनुमोदन के बिना सेवा से अनाधिकृत अनुपस्थिति से स्वतः ही संविदा की समाप्ति (पर्यावसान) हो जाएगी। संविदा पर नियुक्त व्यक्ति, कर्तव्य से अनुपस्थिति की अवधि के लिए संविदात्मक रकम का हकदार नहीं होगा।</p> <p>(च) संविदा पर नियुक्त व्यक्ति का एक स्थान से दूसरे स्थान के लिए स्थानान्तरण किसी भी दशा में अनुज्ञात नहीं किया जाएगा।</p> <p>(छ) चयनित अभ्यर्थी को सरकारी/रजिस्ट्रीकृत चिकित्सा व्यवसायी से अपना आरोग्य प्रमाण-पत्र प्रस्तुत करना होगा। बारह सप्ताह से अधिक समय से गर्भवती महिला अभ्यर्थी प्रसव होने तक अस्थाई तौर पर अनुपयुक्त समझी जाएगी। महिला अभ्यर्थियों का किसी प्राधिकृत चिकित्सा अधिकारी/व्यवसायी द्वारा उपयुक्तता के लिए पुनः निरीक्षण किया जाएगा।</p>
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		(ज) संविदा पर नियुक्त व्यक्ति का यदि अपने पदीय कर्तव्यों के सम्बन्ध में दौरे पर जाना अपेक्षित हो, तो वह उसी दर पर, जैसी नियमित पदधारी को लागू है, वेतनमान के न्यूनतम पर, यात्रा भत्ते/दैनिक भत्ते का हकदार होगा/होगी। VIII नियमित नियुक्ति के लिए दावा करने का अधिकार : इन नियमों के अधीन संविदा के आधार पर लगाए गए अभ्यर्थी को किसी भी दशा में विभाग में लिपिक के रूप में नियमितिकरण/स्थाई आमेलन का दावा करने का कोई अधिकार नहीं होगा।
16	आरक्षण	उक्त सेवा में नियुक्ति, हिमाचल प्रदेश सरकार द्वारा समय-समय पर अनुसूचित जातियों/अनुसूचित जनजातियों/ पिछड़े वर्गों और अन्य प्रवर्ग के व्यक्तियों के लिए सेवाओं में आरक्षण की बाबत जारी किए गए आदेशों के अधीन होगी।
17	विभागीय परीक्षा :	लागू नहीं।
18	शिथिल करने की शक्ति	जहां राज्य सरकार की यह राय हो कि ऐसा करना आवश्यक या समीचीन है, वहां यह कारणों को लिखित में अभिलिखित करके, आदेश द्वारा, इन नियमों के किन्हीं उपबन्धों को किसी वर्ग या व्यक्तियों के प्रवर्ग या पदों की बाबत, शिथिल कर सकेगी।

उपाबन्ध—“ख”

लिपिक और हिमाचल प्रदेश सरकार के मध्य मुख्य निर्वाचन अधिकारी, हिमाचल प्रदेश के माध्यम से निष्पादित की जाने वाली संविदा/करार का प्रारूप।

यह करार श्री/श्रीमती.....पुत्र/पुत्री श्री.....निवासी..... संविदा पर नियुक्त व्यक्ति (जिसे इसमें इसके पश्चात् ‘प्रथम पक्षकार’ कहा गया है), और हिमाचल प्रदेश के राज्यपाल के मध्य, मुख्य निर्वाचन अधिकारी, हिमाचल प्रदेश, (जिसे इसमें इनके पश्चात् ‘द्वितीय पक्षकार’ कहा गया है) के माध्यम से आज तारीख.....को किया गया।

‘द्वितीय पक्षकार’ ने उपरोक्त ‘प्रथम पक्षकार’ को लगाया है और ‘प्रथम पक्षकार’ ने लिपिक के रूप में संविदा के आधार पर निम्नलिखित निबन्धन और शर्तों पर सेवा करने के लिए सहमति दी है:—

1 यह कि ‘प्रथम पक्षकार’.....के रूप में.....से प्रारम्भ होने और ..को समाप्त होने वाले दिन तक एक वर्ष की अवधि के लिए ‘द्वितीय पक्षकार’ की सेवा में लिपिक के रूप में रहेगा। यह विनिर्दिष्ट रूप से उल्लिखित किया गया है और दोनों पक्षकारों द्वारा करार पाया गया है कि प्रथम पक्षकार की द्वितीय पक्षकार के साथ संविदा, आखिरी कार्य दिवस को अर्थात्.....दिन को स्वयमेव ही पर्यावसित (समाप्त) समझी जाएगी और सूचना नोटिस आवश्यक नहीं होगी।

2 प्रथम पक्षकार की संविदात्मक रकम 4830 /—रुपए प्रतिमास होगी।

3 प्रथम पक्षकार की सेवा बिल्कुल अस्थाई आधार पर होगी। यदि संविदा पर नियुक्त व्यक्ति का कार्य/आचरण ठीक नहीं पाया जाता है या यदि नियमित पदधारी उस रिक्ति के विरुद्ध नियुक्त/तैनात कर दिया जाता है जिसके लिए प्रथम पक्षकार को संविदा पर लगाया गया था तो नियुक्ति पर्यावसित (समाप्त) की जाने के लिए दायी होगी।

4 संविदात्मक नियुक्ति, किसी भी दशा में नियमित सेवा के लिए पदधारी को कोई अधिकार प्रदान नहीं करेगी।

5 संविदा पर नियुक्त व्यक्ति एक मास की सेवा पूरी करने के पश्चात् एक दिन के आकस्मिक अवकाश का हकदार होगा। यह अवकाश एक वर्ष तक संचित किया जा सकेगा। संविदा पर नियुक्त व्यक्ति को किसी भी प्रकार का अन्य कोई अवकाश अनुज्ञात नहीं होगा। वह चिकित्सा प्रतिपूर्ति और एल.टी.सी. इत्यादि के लिए भी हकदार नहीं होगा/होगी। केवल प्रसूति प्रसुविधा अधिनियम, 1961 के अनुसार प्रसूति अवकाश दिया जाएगा।

6 नियन्त्रण अधिकारी के अनुमोदन के बिना कर्तव्यों से अनधिकृत अनुपस्थिति से स्वतः ही संविदा का पर्यावसान (समापन) हो जाएगा। संविदा पर नियुक्त लिपिक कर्तव्य (कार्य) से अनुपस्थिति की अवधि के लिए संविदात्मक रकम लेने का हकदार नहीं होगा।

7 किसी भी दशा में संविदा के आधार पर नियुक्त कर्मचारी का एक स्थान से दूसरे स्थान के लिए स्थानान्तरण अनुज्ञात नहीं होगा।

8 चयनित अभ्यर्थी को सरकारी/रजिस्ट्रीकृत चिकित्सा व्यवसायी से अपना आरोग्य प्रमाण-पत्र प्रस्तुत करना होगा। बारह सप्ताह से अधिक समय से गर्भवती महिला अभ्यर्थी प्रसव होने तक अस्थायी तौर पर अनुपयुक्त समझी जाएगी। महिला अभ्यर्थी का प्राधिकृत चिकित्सा अधिकारी/व्यवसायी द्वारा उपयुक्तता के लिए पुनः निरीक्षण किया जाएगा।

9 संविदा पर नियुक्त व्यक्ति का यदि अपने पदीय कर्तव्यों के सम्बन्ध में दौरे पर जाना अपेक्षित हो, तो वह उसी दर पर, जैसी नियमित प्रतिस्थानी पदधारी को लागू है, वेतनमान के न्यूनतम पर यात्रा भत्ते/दैनिक भत्ते का हकदार होगा/होगी।

10 संविदा पर नियुक्त व्यक्ति (यों) को सामूहिक जीवन बीमा योजना के साथ-साथ इ.पी.एफ./जी.पी.एफ. भी लागू नहीं होगा।

इसके साक्ष्यस्वरूप प्रथम पक्षकार और द्वितीय पक्षकार ने साक्षियों की उपस्थिति में इसमें सर्वप्रथम उल्लिखित तारीख को अपने-अपने हस्ताक्षर कर दिए हैं।

साक्षी की उपस्थिति में:-

1

.....

(नाम व पूरा पता)

(प्रथम पक्षकार के हस्ताक्षर)

2

.....

(नाम व पूरा पता)

(द्वितीय पक्षकार के हस्ताक्षर)

[Authoritative English text of this Department's Notification No. 5-24/86-ELN, dated 8-10-2007 as required under Clause (3) of Article-348 of the Constitution of India]

ELECTION DEPARTMENT

NOTIFICATION

Shimla-171009, the 8th October, 2007

No. 5-24/86-ELN.— In exercise of the powers conferred by proviso to Article-309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is pleased to make the following Recruitment & Promotion Rules for the post of Clerk, Class-III (Non-Gazetted) as per Annexure-“A” in the Department of Elections, Himachal Pradesh, namely: -

1 *Short title and commencement :* (1) These rules may be called the Himachal Pradesh Election Department, Clerk, Class III (Non-Gazetted) Recruitment & Promotion Rules, 2007.

(2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

2 *Repeal and savings :* (1) The Himachal Pradesh Class-III Services(Clerks/Steno Typists /Statistical Assistant) Direct Recruitment Rules,1984 notified vide notification No.Per(AP II)A(3)2/84, dated 13 -11-1984 are hereby repealed to the extent these are applicable to the post of Clerk in Election Department.

(2) Nothing with standing such repeal, any appointment made, or anything done or any action taken under these rules so repealed under sub-rule(1) supra shall be deemed to have been validly made or done or taken under these rules.

By order,
MANISHA NANDA,
Secretary.

ANNEXURE-“A”

RECRUITMENT AND PROMOTION RULES FOR THE POST OF CLERKS, CLASS-III (NONGAZETTED), IN THE DEPARTMENT OF ELECTION, HIMACHAL PRADESH.

1 *Name of the post :* Clerk.

2 *Number of post(s) :* 77 (Seventy Seven)

3 *Classification :* Class-III (Non-Gazetted). (Ministerial Services)

4 *Scale of pay :* Rs.3120-100-3220-110-3660-120-4260-140-4400-150-5000-160-5160 with an initial start of Rs.3220/-.

5 *Whether selection post or nonselection post :* Non-Selection.

6 *Age for direct Recruitment : Between 18 years and 45 years.*

Provided that the upper age limit for direct recruits will not be applicable to the candidates already in service of the Government including those who have been appointed on adhoc or on contract basis;

Provided further that if a candidate appointed on adhoc basis or on contractual basis had become overage on the date he /she shall not be eligible for any relaxation in the prescribed age limit by virtue of his/her such adhoc or contract appointment;

Provided further that upper age limit is relaxable for Scheduled Castes /Scheduled Tribes /Other categories of persons to the extent permissible under the general or special order(s) of the Himachal Pradesh Government;

Provided further that the employees of all public sector Corporations and autonomous bodies, who happened to be Government servant before absorption in public sector Corporations/ autonomous bodies at the time of initial constitution of such Corporations/ autonomous bodies, shall be allowed age concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the public sector Corporations /autonomous bodies who were /are subsequently appointed by such Corporations/ autonomous bodies and who are/were finally absorbed in the service of such Corporations/autonomous bodies after initial constitution of the public sector corporations/ autonomous bodies.

(1) Age limit for direct recruitments will be reckoned on the first day of the year in which the post(s) is /are advertised for inviting applications or notified to the Employment ex-changes or as the case may be.

(2) Age and experience in the case of direct recruitment are relaxable at the discretion of the Himachal Pradesh Public Service Commission in case the candidate is otherwise well qualified.

Provided further that the provisions referred to preceeding paras shall not be applicable in the case of contract appointments.

7 *Minimum educational and other qualifications required for direct recruitment:*

Essential : (i) Should have passed Matriculation with 2nd Division or 10+2 examination or its equivalent from a recognised Board /University.

(ii) Should possess a minimum speed of 30 words per minute in English Typewriting or 25 words per minute in Hindi Typewriting.

Desirable : Knowledge of custom, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

8 *Whether age and educational qualification prescribed for direct recruits will apply in the case of promotees? : Age : N.A.*

Educational Qualification : As prescribed against Col. No. 11

9 *Period of probation, if any : Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing.*

10 *Method of recruitment: whether by direct recruitment or by promotion, deputation, transfer and the percentage of posts to be filled in by various methods :* (i) 90% by direct recruitment or on contract basis.

(ii) 10 % by promotion failing which by direct recruitment or on contract basis.

11 *In case of recruitment by promotion, deputation/ transfer, grades from which promotion/ deputation/ transfer is to be made :* By promotion from amongst the Class-IV officials who have passed Matric or Hindi (Rattan) with Matric (English) as one of the subject and also possess five years regular service or regular combined with continuous adhoc service rendered if any, in the grade.

Provided that the incumbents of the post of Class-IV officials so promoted or appointed on compassionate grounds having the educational qualifications of Matric Pass (3rd Division) or Matric (in English only) with Hindi (Rattan) Pass at the time of such appointment, shall not be considered to be eligible for their next promotion for the post of Senior Assistant until they possess the minimum educational qualifications as prescribed for direct recruitment in Col.No.7 above.

Provided that all the Class-IV officials so, promoted as Clerks will qualify the typing test with a minimum speed of 30 words per minute in English or 25 words per minute in Hindi typewriting within probation period which will be conducted by the concerned Departments and the incumbents will get three chances during the probation period. If the candidates failed to qualify the typing test within the prescribed period, their probation period will be extended. During this period the incumbents will get one more chance. If the candidates still failed to qualify the typing test in the extended period, they will be reverted from Clerk to Class-IV post.

For the purpose of promotion a combined seniority of Class-IV employees on the basis of length of service without disturbing their cadre wise inter -se-seniority shall be prescribed.

(1) In all cases of promotion, the continuous adhoc service rendered in the feeder post, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition that the adhoc appointment /promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of Recruitment and Promotion Rules, provided that:-

(a) that in all cases where a junior person becomes eligible for consideration by virtue of his /her total length of service (including the service rendered on adhoc basis, followed by regular service/ appointment) in the feeder post in view of the provisions referred to above, all persons senior to him /her in the respective category /post /cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration;

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and Promotion Rules for the post, whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him/her shall also be deemed to be ineligible for consideration for such promotion.

Explanation :- The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be Ex- Servicemen recruited under the provisions of Rule 3 of the Demobilized Armed Forces Personnel (Reservation of Vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule 3 of the Ex-Servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.

(2) Similarly, in all cases of confirmation, continuous adhoc service rendered on the feeder post, if any, prior to the regular appointment against such post shall be taken into account towards the length of service, if the adhoc appointment/ promotion had been made after proper selection and in accordance with provision of the Recruitment and Promotion Rules:

Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service rendered as referred to above shall remain unchanged.

12 *If Departmental Promotion Committee exists, what is its composition?* : As may be constituted by the Govt. from time to time.

13 *Circumstances under which the HPPSC is to be consulted in making recruitment* : As required under the law.

14 *Essential requirement for a direct recruit* : A candidate for appointment to any service or post must be a Citizen of India.

15 *Selection for appointment to post by direct recruitment* : Selection for appointment to the post in the case of direct recruitment shall be made on the basis of viva-voce if the recruiting authority, so consider necessary or expedient, by a written test or a practical test, the standard /syllabus etc. of which will be determined by the recruiting authority.

15(A) Selection for appointment to post by contract recruitment.

(I) CONCEPT :

- (a) Under this policy the Clerks in Department of Elections, Himachal Pradesh will be engaged on contract basis initially for one year, which may be extendable for two more years on year to year basis.
- (b) POST FALLS WITHIN THE PURVIEW OF HPSSSB:- The Chief Electoral Officer, H.P. after obtaining the approval of the Govt. to fill up the vacant posts on contract basis will place the requisition with the concerned recruiting agency i.e. H.P. Subordinate Services Selection Board.
- (c) The selection will be made in accordance with the eligibility conditions prescribed in these Rules.

- (d) Contract appointee so selected under these Rules will not have any right to claim for regularisation or permanent absorption in Government job.

(II) CONTRACTUAL EMOLUMENTS : The Clerk appointed on contract basis will be paid consolidated fixed contractual amount @ Rs.4830/-P.M. (which shall be equal to initial of the pay scale + dearness pay). An amount of Rs. 110/- as per annual increase in contractual emoluments for the second and third years respectively will be allowed if contract is extended beyond one year.

(III) APPOINTING /DISCIPLINARY AUTHORITY : The Chief Electoral Officer, Himachal Pradesh will be the Appointing and Disciplinary Authority.

(IV) SELECTION PROCESS : Selection for appointment to the post in the case of Contract Appointment will be made on the basis of viva-voce test or if considered necessary or expedient by a written test or practical test the standard/syllabus etc. of which will be determined by the concerned recruiting agency i.e. H.P. Subordinate Services Selection Board.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENT : As may be constituted by the concerned recruiting agency i.e. H.P. Subordinate Services Selection Board from time to time.

(VI) AGREEMENT : After selection of a candidate, he/she shall sign an agreement as per Annexure-“B” appended to these rules.

(VII) TERMS AND CONDITIONS : (a) The contractual appointee will be paid consolidated fixed contractual amount @ Rs.4830/-P.M. (which shall be equal to initial of the pay scale + dearness pay). The Contract Appointee will be entitled for increase in contractual amount @ Rs. 110/- per annum for second and third years respectively and no other allied benefits such as senior /selection scales etc. shall be given.

(b) The service of the Contract Appointee will be purely on temporary basis. The appointment is liable to be terminated in case the performance /conduct of the contract appointee is not found satisfactory.

(c) Contractual appointment shall not confer any right to incumbent for the regularization in the service at any stage.

(d) Contract appointee will be entitled for one day casual leave after putting one month service. This leave can be accumulated up to one year. No leave of any other kind is admissible to the contract appointee. He/She will not be entitled for Medical Reimbursement & LTC etc. Only maternity Leave will be given as per Maternity Benefit Act, 1961.

(e) Unauthorized absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the contract. Contract appointee shall not be entitled for contractual amount for the period of absence from duty.

(f) Transfers of contract appointee will not be permitted from one place to another in any case.

- (g) Selected candidate will have to submit a certificate of his/her fitness from a Govt./Registered Medical Practitioner. Women candidate, pregnant beyond 12 weeks will stand temporarily unfit till the confinement is over. The women candidate will be re-examined for the fitness from an authorized Medical Officer/ Practitioner.
- (h) Contract appointee will be entitled to TA/DA if required to go on tour in connection with his /her official duties at the same rate as applicable to regular officials at the minimum of the pay scale.

(VIII)RIGHT TO CLAIM REGULAR APPOINTMENT : The candidate engaged on contract basis under there rules has no right to claim regularisation/ permanent absorption as Clerk in the department at any stage.

16. Reservation : The appointment to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/ Scheduled Tribes/Other Backward Classes/Other categories of persons issued by the Himachal Pradesh Government from time to time.

17 Departmental Examination : Not applicable.

18 Power to relax : Where the State Government is of the opinion that it is necessary or expedient to do so, it may by order for reasons to be recorded in writing relax any of the provisions of these rules with respect to any class or category of person or post(s).

Annexure-“B”

FORM OF CONTRACT/AGREEMENT TO BE EXECUTED BETWEEN THE CLERK AND THE GOVERNMENT OF HIMACHAL PRADESH THROUGH CHIEF ELECTORAL OFFICER, HIMACHAL PRADESH.

This agreement is made on this _____ day of _____ in the year _____ between Shri/Smt./Km. _____ S/o/W/o/D/oShri. _____ R/o _____

Contract appointee (here-in-after called the FIRST PARTY) and the Governor, Himachal Pradesh through Chief Electoral Officer, Himachal Pradesh (here-in-after the SECOND PARTY).

Whereas, the SECOND PARTY has engaged the aforesaid FIRST PARTY and the FIRST PARTY has agreed to serve as a Clerk on contract basis on the following terms and conditions:

1 That the FIRST PARTY shall remain in the service of the SECOND PARTY as a Clerk for a period of one years commencing on _____ day of _____ and ending on the _____ day of _____. It is specifically mentioned and agreed upon by both the parties that the contract of the FIRST PARTY with SECOND PARTY shall ipso facto stand terminated on the last working day i.e. on _____ and information notice shall not be necessary.

2 The contractual amount of the FIRST PARTY will be Rs.4830/- per month.

3 The service of FIRST PARTY will be purely on temporary basis. The appointment is liable to be terminated in case the performance/conduct of the contract appointee is not found good or regular incumbent is appointed /posted against the vacancy for which the first party was engaged on contract.

4 The contractual appointment shall not confer any right to incumbent for the regularization of service at any stage.

5 Contractual appointee will be entitled for one day casual leave after putting one month service. This leave can be accumulated up to one year. No leave of any kind is admissible to the contractual appointee. He /She will not be entitled for Medical Re-imbursement and LTC. Only Maternity leave will be given as per Maternity Benefit Act, 1961.

6 Unauthorized absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the contract. A contractual Clerk will not be entitled for contractual amount for the period of absence from duty.

7 Transfer of an incumbent appointed on contract basis will not be permitted from one place to another in any case.

8 Selected candidate will have to submit a certificate of his/her fitness from a Government /Registered Medical Practitioner. In case of Women candidates pregnant beyond twelve weeks will render her temporarily unfit the confinement is over. The woman candidate should be re-examined for fitness from an authorized Medical Officer/Practitioner.

9 Contract appointee shall be entitled to TA/DA if required to go on tour in connection with his /her official duties at the same rate as applicable to regular counter part official at the minimum of the pay scale.

10 The Employees Group Insurance Scheme as well as EPF/GPF will not be applicable to the contractual appointee(s).

IN WITNESS the FIRST PARTY AND SECOND PARTY have herein to set their hands the day, month and year first, above written.

IN THE PRESENCE OF WITNESS:

1. _____

(Name and full address)

(Signature of the FIRST PARTY)

2. _____

(Name and full address)

(Signature of the SECOND PARTY)